

The Gazette



of India

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Separate paging is given to this Part in order that it may be filed
as a separate compilation

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the
22nd April, 1964:—

Issue No.	No. and Date	Issued by	Subject
107	S.O. 1377, dated 15th April, 1964.	Central Board of Direct Taxes.	Corrigenda to S.O. 511, dated 4th February, 1964.
108	S.O. 1378, dated 16th April, 1964.	Cabinet Secretariat.	Amendments in the Government of India (Allocation of Business) Rules, 1961.
109	S.O. 1379, dated 16th April, 1964.	Election Commission, India.	List of Contesting Candidates in the Election to the House of the People for the 15-Mahasamund Constituency.
110	S.O. 1419, dated 21st April, 1964.	Ministry of Information and Broadcasting.	Approval of the films specified therein.
111	S.O. 1420, dated 22nd April, 1964.	Election Commission, India.	Calling upon the Bhilwaria Constituency to elect a person in a vacancy in the House of the People.
	S.O. 1421, dated 22nd April, 1964.	Do.	Appointing dates etc. for the bye-election referred to in S.O. 1420 above.
	S.O. 1422, dated 22nd April, 1964.	Do.	Fixation of hours for the bye-election referred to in S.O. 1420 above.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 18th April 1964

S.O. 1426.—In pursuance of clause (2) of article 324 of the Constitution, the President is pleased to reappoint Shri K. V. K. Sundaram as the Chief Election Commissioner with effect from the forenoon of the 20th April, 1964.

[No. F. 4(22)/63-Elcc.]

S.O. 1427.—In exercise of the powers conferred by clause (5) of article 324 of the Constitution, the President is pleased to make the following rules for regulating the conditions of service and tenure of office of Shri K. V. K. Sundaram, Chief Election Commissioner:—

1. The said Chief Election Commissioner shall hold office upto the 1st October, 1967.
2. The said Chief Election Commissioner shall, except during any period of leave, be paid a salary of four thousand rupees per month.
3. The conditions of service of the said Chief Election Commissioner as respects leave of absence, leave salary, travelling allowance and all other matters shall be regulated by the same rules as are applicable to a Secretary to the Government of India who is a member of the Indian Civil Service.

[No. F. 4(22) (i)/63-Elec.]

G. A. SHAH, Jt. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 21st April 1964

S.O. 1428.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and Other Instruments) Rules, 1958, published with the notification of the Government of India in the Ministry of Home Affairs, No. S.O. 2297, dated the 3rd November, 1958, namely:—

1. These rules may be called the Authentication (Orders and Other Instruments) Second Amendment Rules, 1964.
2. In clause (f) of rule 2 of the Authentication (Orders and Other Instruments) Rules, 1958, the words "or an Assistant Finance Officer," shall be inserted after the words "a Finance Officer".

[No. 3/8/63-Public I.]

FATEH SINGH, Jt. Secy.

New Delhi, the 24th April 1964

S.O. 1429.—In exercise of the powers conferred by entry 3(c) of Schedule I annexed to the Ministry of Home Affairs Notification No. 15/13/59(V)-P.IV, dated the 13th July, 1962 (G.S.R. 991, published in the Gazette of India Part II, Section 3, sub-section (ii) dated the 28th July, 1962), the Central Government is pleased to specify Rajkumar Pratap Singh, son of Raja Dalip Singh of Dhami, for the purpose of that entry and directs that the exemption shall be valid in respect of one 12 bore gun, one rifle and one pistol/revolver.

[No. 16/23/63-P.IV.]

M. SIVAGNANAM, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 17th April 1964

S.O. 1430.—In exercise of the powers conferred by section 282 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following rules further to amend the Indian Pilgrim Ships Rules, 1933, the same having been previously published as required by the said section.

1. (i) These rules may be called the Indian Pilgrim Ships (Amendment) Rules, 1964.
- (ii) They shall come into force on the 1st May, 1964.
2. In the Indian Pilgrim Ships Rules, 1933, in sub-rule (2) of rule 124 for the words "fee of eight rupees", the words "fee of ten rupees" shall be substituted.

[No. M.II/1181(45)/63.]

V. A. KIDWAI, Dy. Secy.

New Delhi, the 24th April 1964

S.O. 1431.—In exercise of the powers conferred by clause (I) of article 239 of the Constitution, the President hereby directs that all orders and other instruments made and executed in the name of the Administrator of the Union territory of Dadra and Nagar Haveli shall be authenticated by the signature of the Collector of the Dadra and Nagar Haveli Administration.

[No. GI(GOA)578(25)/63.]

C. S. AHLUWALIA, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

अधिसूचना

(आयकर)

नई दिल्ली, 20 फरवरी, 1964

एस० आ० 1432.—सामान्य सूचनार्थ एतत् द्वारा अधिसूचित किया जाता है कि नीचे वर्णित संस्था, 'विहित प्राधिकारी' वैज्ञानिक तथा औद्योगिक गवेषणा परिषद् द्वारा आयकर अधिनियम 1961 (1961 का 43वां) की धारा 35 की उप-धारा (1) के खण्ड (ii) के प्रयोजनों के लिये अनुमोदित की गई है।

संस्था

आर्थिक तथा वैज्ञानिक गवेषणा संघ, कलकत्ता।

सं० 12[फा०सं० 10/9/64-आई.टी.(एI)]

जी० आर० देसाई, उप सचिव।

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 9th April 1964

S.O. 1433.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with

the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the Contributory Provident Fund Rules (India), 1962, namely:—

1. These Rules may be called the Contributory Provident Fund (India) Fourth Amendment Rules, 1964.
2. In the Contributory Provident Fund Rules (India), 1962, in clause (a) of sub-rule (1) of rule 13, for the word 'illness', the words "illness, confinement" shall be substituted.

[No. F. 27(4)-E.V.(B)/64-CPF.]

S.O. 1434—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely:—

1. These Rules may be called the General Provident Fund (Central Services) Fifth Amendment Rules, 1964.
2. In the General Provident Fund (Central Services) Rules, 1960, in clause (a) of sub-rule (1) of rule 12, for the word 'illness', the words "illness, confinement" shall be substituted.

[No. F. 27(4)-E.V.(B)/64-GPF.]

CORRIGENDUM

New Delhi, the 9th April 1964

S.O. 1435—In the Ministry of Finance (Department of Expenditure) Notification No. F. 8(4)-EV(B)/63-CPF, dated the 19th August, 1963, published in Part II, Sub-section (ii) of Section 3 of the Gazette of India, dated the 31st August, 1963, at pages 2866-2867—

at page 2867

- (a) for lines 1 to 13 substitute "in rule 36, after Note 2, the following Note shall be inserted, namely:—
- (b) in line 14, for "(2)" substitute "3".

[No. F. 8(4)-E.V.(B)/63-CPF.]

P. S. L. SARMA, Under Secy.

(Department of Economic Affairs)

New Delhi, the 18th April 1964

S.O. 1436—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act, 1949, the Central Government, after considering an application made by the Reserve Bank of India under sub-section (1) of that section, hereby makes an order of moratorium in respect of the Unao Commercial Bank Ltd., Unnao, for the period from the 19th April 1964 to the 18th August 1964 (both days inclusive) and hereby stays the commencement or continuance of all actions and proceedings against that banking company during the period of moratorium, subject to the condition that such stay shall not in any manner prejudice the exercise by the Central Government of its powers under clause (b) of sub-section (4) of section 35 of the said Act or the exercise by the Reserve Bank of India of its powers under section 38 of the said Act.

2. The Central Government hereby also directs that, during the period of moratorium granted to it, the Unao Commercial Bank Ltd., Unnao shall not, without the permission in writing of the Reserve Bank of India, grant any loan or advance, incur any liability, make any investment or agree to or disburse any payment, whether in discharge of its liabilities and obligations or otherwise, or enter into any compromise or arrangement, except to the extent and in the manner provided hereunder:—

- (i) a sum not exceeding 10 per cent of the total balance in every savings bank or current account or in any other deposit by whatever name called, provided that the sum total of the amounts paid in respect of the accounts standing in the name of any one person (and not jointly with that of any other person) does not exceed Rs. 250/-,

and provided further that no amount shall be paid to any depositor who is indebted to the bank in any way;

- (ii) the amounts of any drafts or pay orders issued by the said bank and remaining unpaid on the date on which the order of moratorium comes into force;
- (iii) the amounts of the bills received for collection on or before the 18th April 1964 and realised before, on or after that date;
- (iv) any expenditure which has necessarily to be incurred in connection with any suits or appeals filed by or against or decrees obtained by the said bank or for realising any amounts due to it, provided that if the expenditure in respect of each such suit or appeal or decree or proceeding is in excess of Rs. 250/- the permission in writing of the Reserve Bank of India shall be obtained before it is incurred; and
- (v) any expenditure on any other item in so far as it is in the opinion of the banking company necessary for carrying on the day-to-day administration of the banking company, provided that where the total expenditure on any item in any calendar month exceeds the average monthly expenditure on account of that item during the six calendar months preceding the order of moratorium, or if no expenditure has been incurred on account of that item in the past exceeds a sum of Rs. 250/-, the permission in writing of the Reserve Bank of India shall be obtained before the additional expenditure is incurred.

3. The Central Government hereby also directs that the Unao Commercial Bank Ltd., Unnao may during the period of the moratorium granted to it, make the following further payments, namely, the amounts necessary for repaying loans or advances granted against Government securities or other securities to the Unao Commercial Bank Ltd., Unnao by the Reserve Bank of India or the State Bank of India or any of its subsidiaries or by any other bank and remaining unpaid on the date on which the order of moratorium comes into force.

4. The Central Government hereby further directs that during the period of moratorium, the Unao Commercial Bank Ltd., Unnao shall be permitted to operate its accounts with the Reserve Bank of India or with any other bank for the purposes of making the payments aforesaid provided that nothing in this order shall be deemed to require the Reserve Bank of India or any other bank aforesaid to satisfy itself that the conditions imposed by this order are being observed before any amounts are released in favour of the Unao Commercial Bank Ltd., Unnao.

5. The Central Government hereby further directs that the Unao Commercial Bank Ltd., Unnao may during the period of moratorium return any bills which have remained unrealised to the persons entitled to receive them on a request being made in this behalf by such persons, if the bank has no right or title to, or interest in, such bills.

6. The Central Government hereby also directs that the Unao Commercial Bank Ltd., Unnao may release or deliver goods or securities which may be pledged, hypothecated or mortgaged or otherwise charged to it against any loan, cash credit or overdraft—

- (i) in any case in which full payment towards all the amounts due from the borrower or borrowers, as the case may be, has been received by the bank, unconditionally; and
- (ii) in any other case, to such an extent as may be necessary or possible, without reducing the proportions of the margins on the said goods or securities below the stipulated proportions or the proportions which were maintained before the order of moratorium came into force, whichever may be higher.

[No. F. 17(10)-BC/64.]

R. K. SESHADRI,

Director (Banking & Insurance).

(Department of Economic Affairs)*New Delhi, the 18th April 1964*

S.O. 1437.—In pursuance of the provisions of sub-section (1) of section 8 and section 15 of the Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962), the Central Government hereby authorises the Administrator of the Rehabilitation Finance Administration Unit, Ministry of Finance, Department of Economic Affairs, and all officers subordinate to him of and above the rank of Superintendent, for the purposes of the said provisions.

[No. F. 108(2)-INS.I/64-ERI-I.]

S.O. 1438.—In pursuance of sub-section (1) of section 11 of the Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962), the Central Government hereby authorises the Administrator of the Rehabilitation Finance Administration Unit, Ministry of Finance, Department of Economic Affairs, and all officers subordinate to him of and above the rank of Inspector, to exercise all or any of the powers specified in the said sub-section.

[No. F. 108(2)-INS.I/64-ERI-II.]

S.O. 1439.—In pursuance of the provisions of sub-section (1) of section 11 and section 13 of the Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962), the Central Government hereby authorises the Administrator of the Rehabilitation Finance Administration Unit, Ministry of Finance, Department of Economic Affairs, and all officers subordinate to him of and above the rank of Superintendent, for the purposes of the said provisions.

[No. F.108(2)-INS.I/64-ERI-III.]

S.O. 1440.—In pursuance of sub-section (1) of section 8 of the Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962), the Central Government hereby authorises the Administrator of the Rehabilitation Finance Administration Unit, Ministry of Finance, Department of Economic Affairs, and all officers subordinate to him of and above the rank of Inspector, to exercise all or any of the powers specified in the said sub-section.

[No. F. 108(2)-INS.I/64-ERI IV.]

New Delhi, the 27th April 1964

S.O. 1441.—Shri Bachittar Singh Bawa has resigned from the Life Insurance Corporation of India with effect from the 24th April, 1964.

[No. F. 1(4)-INS(II)/62.]

S. S. SHARMA, Under Secy.

(Department of Economic Affairs)

New Delhi, the 18th April 1964

S.O. 1442.—Statement of the Affairs of the Reserve Bank of India, as on the 10th April, 1964

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	17,30,47,000
Reserve Fund	80,00,00,000	Rupee Coin	3,03,000
National Agricultural Credit (Long Term Operations) Fund	73,00,00,000	Small Coin	4,74,000
National Agricultural Credit (Stabilisation) Fund	8,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
Deposits :—		(a) Loans and Advances to :—	
(a) Government		(i) State Governments	28,31,63,000
(i) Central Government	74,24,72,000	(ii) State Co-operative Banks	8,62,26,000
(ii) State Governments	12,67,56,000	(iii) Central Land Mortgage Banks . . . . .	..
(b) Banks		(b) Investment in Central Land Mortgage Bank Debentures	3,59,36,000
(i) Scheduled Banks	83,42,04,000	National Agricultural Credit (Stabilisation) Fund	
(ii) State Co-operative Banks	2,90,43,000	Loans and Advances to State Co-operative Banks . . . . .	..
(iii) Other Banks	3,41,000	Bills purchased and Discounted :—	
(c) Others	159,54,45,000	(a) Internal . . . . .	..
Bills Payable	31,50,29,000	(b) External . . . . .	..
Other Liabilities	68,84,56,000	(c) Government Treasury Bills	122,28,49,000
		Balances Held Abroad*	12,25,22,000
		Loans and Advances to Governments**	84,34,82,000
		Loans and Advances to :—	
		(i) Scheduled Banks†	68,91,70,000
		(ii) State Co-operative Banks††	117,21,08,000
		(iii) Others	1,71,20,000
		Investments	103,68,81,000
		Other Assets	30,84,65,000
Rupees	599,17,46,000	Rupees	559,17,46,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 29,09,65,000 advanced to scheduled banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 15th day of April, 1964

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 10th day of April 1964

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	17,30,47,000		Gold Coin and Bullion :—		
Notes in circulation	2547,05,27,000		(a) Held in India	117,76,10,000	
Total Notes issued		2564,35,74,000	(b) Held outside India . . . . .	..
			Foreign Securities	112,45,69,000	
			TOTAL		230,21,79,000
			Rupee Coin		105,05,24,000
			Government of India Rupee Securities		2229,08,71,000
			Internal Bills of Exchange and other		
			Commercial paper		
TOTAL LIABILITIES		2564,35,74,000	TOTAL ASSETS		2564,35,74,000

Dated the 15th day of April, 1964.

P. C. BHATTACHARYA,
Governor

[No. F. 3(2)-BC/64.]

New Delhi, the 27th April 1964

S.O. 1443.—Statement of the Affairs of the Reserve Bank of India, as on the 17th April 1964

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	18,98,81,000
Reserve Fund	80,00,00,000	Rupee Coin	2,56,000
		Small Coin	4,42,000
National Agricultural Credit (Long Term Operations) Fund	73,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
		(a) Loans and Advances to :—	
		(i) State Governments	28,31,37,000
National Agricultural Credit (Stabilisation) Fund	8,00,00,000	(ii) State Co-operative Banks	8,53,76,000
		(iii) Central Land Mortgage Banks . . . . .	..
		(b) Investment in Central Land Mortgage Bank Debentures	3,59,36,000
Deposits:—		National Agricultural Credit (Stabilisation) Fund	
(a) Government:		Loans and Advances to State Co-operative Banks . . . . .	..
(i) Central Government	52,16,55,000	Bills purchased and discounted:—	
(ii) State Governments	9,75,57,000	(a) Internal . . . . .	..
(b) Banks:		(b) External . . . . .	..
(i) Scheduled Banks	82,14,36,000	(c) Government Treasury Bills	102,63,30,000
(ii) State Co-operative Banks	2,74,01,000	Balances Held Abroad*	12,19,06,000
(iii) Other Banks	3,20,000	Loans and Advances to Governments**	84,85,10,000
(c) Others	158,78,84,000	Loans and Advances to :—	
Bills Payable	33,30,15,000	(i) Scheduled Banks†	66,15,70,000
Other Liabilities	71,08,33,000	(ii) State Co-operative Banks††	113,41,64,000
		(iii) Others	1,71,20,000
		Investments	104,69,73,000
		Other Assets	30,85,00,000
Rupees	576,01,01,000	Rupees	576,01,01,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 25,81,65,000 advanced to scheduled banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 22nd day of April, 1964.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 17th day of April 1964

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	18,98,81,000		Gold Coin and Bullion :—		
Notes in circulation	2545,33,61,000		(a) Held in India	117,76,10,000	
Total Notes issued		2564,32,42,000	(b) Held outside India		
			Foreign Securities	108,45,69,000	
			TOTAL		226,21,79,000
			Rupee Coin		105,36,41,000
			Government of India Rupee Securities		2232,74,22,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		2564,32,42,000	TOTAL ASSETS		2564,32,42,000

Dated the 22nd day of April, 1964.

P. C. BHATTACHARYYA,
Governor.

[No. F 3(2)-BC/64.]

A. BAKSI, Jr. Secy

वित्त मंत्रालय

(राजस्व और समवाय विधि विभाग)

(आयकर)

नई दिल्ली, 25 मार्च 1964

एस० ओ० 1444.—सामान्य सूचनार्थ एतत् द्वारा अधिसूचित किया जाता है कि नीचे वर्णित संस्था, 'विहित प्राधिकारी' वैज्ञानिक तथा औद्योगिक गवेषणा परिषद् द्वारा आयकर अधिनियम 1961 (1961 का 43 वां) की धारा 35 की उप-धारा (1) के खण्ड (iii) के प्रयोजनों के लिये अनुमोदित की गई है।

संस्था

श्रीराम सन्तर फार इन्डस्ट्रियल रिलेशन्स, नई दिल्ली।

सं० 19 [फा० सं० 10/11/64-आई.टी.(ए-1)]

नई दिल्ली, 26 मार्च 1964

एस० ओ० 1445.—सामान्य सूचनार्थ एतत् द्वारा अधिसूचित किया जाता है कि नीचे वर्णित संस्था, 'विहित प्राधिकारी' वैज्ञानिक तथा औद्योगिक गवेषणा परिषद् द्वारा आयकर अधिनियम 1961 (1961 का 43 वां) की धारा 35 की उप-धारा (1) के खण्ड (ii) के प्रयोजनों के लिये अनुमोदित की गई है।

संस्था

दि गुजरात केन्सर सोसाइटी, अहमदाबाद।

सं० 21 [फा० सं० 10/12/64-आई० टी० (ए-1)]

जी० आर० वेसाई, उप सचिव।

(Department of Revenue and Company Law)

INCOME-TAX ESTABLISHMENTS

New Delhi, the 18th April 1964

S.O. 1446.—In pursuance of clause (b) of Sub-rule (ii) of Rule 2 of the Appellate Tribunal Rules, 1946, the Central Government had been pleased to appoint Shri H. C. Sharma, Income-tax Officer, West Bengal, Calcutta, as Authorised Representative, Income-tax Appellate Tribunal, Patna Bench, Camp at Calcutta, with effect from the 12th February 1964 F.N. to the afternoon of 21st February 1964, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[No. 86.]

M. G. THOMAS, Under Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 25th April 1964

S.O. 1447.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous Notifications in this regard, the Central Board of Direct Taxes directs that the

Appellate Assistant Commissioners of Income-tax of the Ranges specified in column 1 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to income-tax or super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:—

SCHEDULE

Range 1	Income-tax Circles, Wards and Districts 2
A—Range, Hyderabad.	<ol style="list-style-type: none"> 1. A—Ward, Hyderabad. 2. I.T.-cum-W.T. Circle No. 1, Hyderabad. 3. C—Ward, Hyderabad. 4. I.T.-cum-W.T. Circle No. III, Hyderabad. 5. Companies Circle, Hyderabad. 6. Salaries Circle, Hyderabad. 7. Nizamabad. 8. Khammam. 9. Eluru.
B—Range, Hyderabad.	<ol style="list-style-type: none"> 1. B—Ward, Hyderabad. 2. I.T.-cum-W.T. Circle No. II, Hyderabad. 3. Special Investigation Circle, Hyderabad. 4. M.P.P. Circle, Hyderabad. 5. Special Survey Circle, Hyderabad. 6. Warangal. 7. Mahboobnagar.
Visakhapatnam.	<ol style="list-style-type: none"> 1. Visakhapatnam. 2. Vizianagram. 3. Srikakulam. 4. Rajahmundry. 5. Kakinada. 6. Palacoe.
Vijaywada.	<ol style="list-style-type: none"> 1. Vijaywada. 2. Masulipatam. 3. Guntur. 4. Tenali.
Nellore.	<ol style="list-style-type: none"> 1. Nellore. 2. Mica Circle, Nellore. 3. Tirupathi. 4. Chittoor. 5. Bapatla.
Kurnool.	<ol style="list-style-type: none"> 1. Kurnool. 2. Adoni. 3. Anantapur. 4. Cuddapah.

Where an Income-tax Circle, Ward and District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 1st May, 1964.

Explanatory Note

The amendments have become necessary on account of the creation of two new Ranges in the Commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 24 (F. No. 50/1/64-ITJ).]

S. DWIVEDI, Under Secy.

**OFFICE OF THE COMMISSIONER OF INCOMETAX, MADHYA PRADESH,
NAGPUR & BHANDARA, NAGPUR**

Nagpur, the 19th February 1964

S.O. 1448.—In pursuance of sub-section (5) of Section 226, and Section 229 of the Income-tax Act, 1961 (43 of 1961), Section 33 of the Gift-tax Act, 1958 (18 of 1958), and Section 19 of the Super Profits Tax Act, 1963 (14 of 1963), and of all other powers enabling him in this behalf and in supersession of all

previous orders in so far as they relate to the subject, the Commissioner of ———
Income-tax
Gift-tax
Madhya Pradesh, Nagpur and Bhandara, Nagpur, hereby authorises the
Income-tax Officers

———, subordinate to him to recover from an assessee the tax, in-
Gift-tax Officers

terest, fine, penalty and any other sum payable under the provisions of the said Acts by the said assessee by distraint and sale of his movable property in the manner laid down in the Third Schedule to the said Income-tax Act, 1961.

[No. 87-6/54.]

M. B. PALEKAR,

Income-tax
Commissioner of ———
Gift-tax

POONA CENTRAL EXCISE COLLECTORATE, POONA

Poona, the 4th April 1964

S.O. 1449.—In exercise of the powers conferred upon me under Rule 233 read with Rule 143 of the Central Excise Rules, 1944, I order that the following amendment shall be made in this Collectorate Notification No. CER/14/62 dated the 28th December, 1962.

In the Annexure 'B' of the aforesaid Notification the following number and words shall be inserted after S. No. 2 in columns 1, 2 and 3.

3 Flakes finer than 18 Ghari but not finer than 25 Ghari. 37

[No. CER/4/64.]

Poona, the 18th April 1964

SUBJECT:—Presentation of rebate claim in Form "B" under Rule 12-A of the Central Excise Rules, 1944—Delegation of Powers to condone delays.

S.O. 1450.—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules, 1944, I hereby authorise the Assistant Collector of Central Excise in the Collectorate of Central Excise, Poona to exercise in their respective jurisdiction the powers of "COLLECTOR" to condone delays in presentation of claims under the proviso to para 5 of the appendix to Rule 12-A of the Central Excise Rules, 1944, subject to the condition that the delay in presentation of claims does not exceed a period of 15 days after the expiry of the three months from the date of export in each case.

[No. CER/5/5/64.]

M. C. DAS, Collector.

BOMBAY CENTRAL EXCISE COLLECTORATE

CENTRAL EXCISES

Bombay, the 14th April 1964

S.O. 1451.—In exercise of the powers conferred upon me by Rule 5 of the Central Excise Rules, 1944, I hereby empower the Central Excise Officer specified in column 2 of the subjoined table to exercise within his jurisdiction the powers of "Collector"

under the Central Excise Rules enumerated in column No. 1 thereof subject to the limitations set out in column 3 of the said table:

TABLE

Central Excise Rules (1)	Rank of Officer (2)	Limitations if any (3)
12A.	Asstt. Collector of Central Excise Refunds, Bombay.	Power for condoning the delays in presentation of rebate claims upto a period of 15 days after the expiry of the three months from the date of export.

[No. CER/5/2/64.]

S. P. KAMPANI, Collector.

MINISTRY OF INDUSTRY

CORRIGENDA

New Delhi, the 21st April 1964

S.O. 1452.—In this Ministry's Order No. S.O. 1269/IDRA/6/21, dated the 1st April, 1964, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 11th April, 1964:—

(1) For 6 Shri A. L. Khanna, Punjab Machinery Works Ltd., (Hosiery) Millerganj, Ludhiana.

Read 6 Shri R. C. Khanna, Punjab Machinery Works Ltd., (Hosiery), Millerganj, Ludhiana.

(2) For 26 Shri S. L. Mukherjee, Chairman, Bengal Hosiery Manufacturers' Association, Calcutta.

Read 26 Shri Lalit Mohan Mukherjee, President, Bengal Hosiery Manufacturers' Association, 219, Bepin Behari Ganguly Street, Calcutta-12.

[No. 2(5)/Dev. Councils/64.]

New Delhi, the 24th April 1964

S.O. 1453.—In the late Ministry of Commerce and Industry Order No. S.O. 236, dated the 19th January, 1963, as amended from time to time, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 26th January, 1963:—

For 6. Dr. C. J. Dadachanji,
M/S. Union Carbide India Ltd.,
1 & 3, Brabourne Road,
P.O. Box No. 2170,
Calcutta-1.

Read 6. Dr. C. J. Dadachanji,
M/S. National Organic Chemical Industries Ltd.,
Mafatal Housc, Backbay Reclamation,
Bombay-1.

[No. 1(15)/L.Pr/62.]

V. PRAKASH, Under Secy.

(Indian Standards Institution)

New Delhi, the 17th April 1964

S.O. 1454—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby **notifies** that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 6 April to 16 April 1964.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS: 814-1963 Specification for Covered Electrodes for Metal Arc Welding of Mild Steel (<i>Revised</i>)	IS: 814-1957 Specification for Covered Electrodes for Metal Arc Welding of Mild Steel	This specification lays down requirements for covered electrodes of sizes 1.6 mm and above for metal arc welding (by hand operation) of mild steel conforming to IS: 226-1962 Specification for Structural Steel (Standard Quality) (<i>Third Revision</i>), IS: 2062-1962 Specification for Structural Steel (Fusion Welding Quality), or IS: 1977-1962 Specification for Structural Steel (Ordinary Quality) (Price Rs. 5.50).
2	IS: 2098-1964 Specification for Asbestos Cement Building Boards	..	This standard lays down the requirements regarding composition, dimensions and tests of asbestos cement building boards (Price Rs. 2.00).
3	IS: 2586-1964 Specification for Bench Vices (Machinist's Vices)	..	This standard covers the requirements for bench vices having a fixed base for mounting on work tables, for general workshop use. (Price Rs. 2.50).
4	IS: 2589-1964 Specification for Hard-Drawn Steel Wire for Upholstery Springs	..	This standard covers the requirements for hard-drawn steel wire both patented and non-patented used for upholstery springs. (Price Re. 1.00).
5	IS: 2594-1963 Specification for Hacksaw Blades	..	This standard covers the requirements of hacksaw blades for hand or power operation and their acceptance tests. (Price Rs. 3.50).
6	IS: 2614-1964 Methods for Sampling of Fasteners	..	This standard prescribes the methods of sampling and the criteria for conformity for fasteners. It also provides for change-over to tightened and reduced inspection. (Price Rs. 2.00).

(1)	(2)	(3)	(4)
7	IS:2623-1964 Specification for Blanks for Sley Caps for Cotton Looms.	..	This specification prescribes the requirements of blanks for sley caps for cotton looms. (Price Re. 1.00).

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shaha Zafar Marg, New Delhi-1, and also at its branch offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) 2nd Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2 and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:2].

S. K. SEN,

Head of the Certification Marks Department.

MINISTRY OF STEEL, MINES AND HEAVY ENGINEERING

(Department of Iron and Steel)

New Delhi, the 13th April 1964

S.O. 1455/ESS.COMM/IRON & STEEL/2(c)-AM(110)/64.—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, and without prejudice to the Notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Iron and Steel) dated the 11th June, 1957, as amended from time to time, the Central Government hereby authorises the following officers to exercise the powers of the Iron and Steel Controller under clauses 4, 5, 10 and 11 of the said Order in relation to galvanised corrugated sheets, held in stock by Controlled stockholders, for the purpose of rehabilitation of refugees from East Pakistan, within their respective jurisdiction, namely:—

1. The Chief Secretary to the Government of Assam.
2. The Chief Secretary to the Government of Bihar.
3. The Chief Secretary to the Government of Maharashtra.
4. The Chief Secretary to the Government of Madhya Pradesh.
5. The Chief Secretary to the Government of Orissa.
6. The Chief Secretary to the Tripura Administration.
7. The Chief Secretary to the Government of West Bengal.

2. This Notification shall remain in force for a period of six months with effect from the date of its publication in the Gazette of India, unless, before the expiry of the said period, its duration is extended by the Central Government.

[No. SC(A)-10(9)/64.]

M. C. MISRA, Dy. Secy.

(Department of Iron and Steel)

CORRIGENDUM

New Delhi, the 18th April 1964

S.O. 1456.—In the Notification of the Government of India in the Ministry of Steel, Mines and Heavy Engineering (Department of Iron and Steel), No. S.O. 731-ESS.COMM/IRON&STEEL/64, dated the 29th February, 1964 published in Part II Section 3 Sub-section (ii), of the Gazette Extraordinary, dated the 1st March, 1964, please insert:—

(A) In Schedule No. V Part I-A against S. No. (9), under Column III read 981

(B) Para appearing below Schedule No. V Part III

After the words "in respect of the above categories" delete the full stop and add "will continue to remain in force."

[No. S.C.(C)-2(8)/64.]

C. A. NAIR, Under Secy

(Department of Mines and Metals)*New Delhi, the 21st April 1964*

S.O. 1457.—Whereas in pursuance of the notification of the Government of India in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. No. 676, dated the 14th March, 1960 under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government acquired 510.04 acres of land in villages Jayanagar, Tilaikachhar, Sashipur *alias* Tharmunda and Reserved Forest, in the District of Surguja;

Whereas, Shri Sahdeo Ram, son of Chhotu Panika of Ambikapur, Mohalla Kedarpur, P.S. Ambikapur, District Surguja, the interested person has under section 13 of the said Act, furnished his claim for compensation payable for acquisition of his lands before the competent authority;

And, whereas, the amount of compensation payable to him under the said Act could not be paid owing to a dispute as to the title to receive it and also the apportionment thereof;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 14 of the said Act, the Central Government hereby constitutes Tribunal consisting of Shri M. Z. Hasan, District and Sessions Judge, Bilaspur, and refers the dispute to the said Tribunal.

[No. C2-22(10)/60.]

A. NABAR, Under Secy.

(Department of Mines and Metals)*New Delhi, the 25th April 1964*

S.O. 1458.—In pursuance of clause 4 of the Colliery Control Order, 1945, as continued in force by section 16 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Mines and Fuel No. S.O. 1537, dated the 1st June, 1963, namely:—

In the said notification, in "Table VI: Coke", in the first column, for the entry "Durgapur Steel Plant (Hindustan Steel Ltd.), Durgapur Coke Oven Plant (West Bengal Government), Coke Oven Plant, Burnpur (Indian Iron & Steel Co. Ltd.)", the following entry shall be substituted, namely:—

"Durgapur Steel Plant (Hindustan Steel Ltd.), Durgapur Coke Oven Plant (West Bengal Government), Coke Oven Plant, Burnpur (Indian Iron and Steel Co. Ltd.), Coke Oven Plant, Jamshedpur (Tata Iron and Steel Company Limited)".

[No. C5-12(32)/61.]

N. LAKSHMAN RAO, Dy. Secy.

(Department of Mines and Metals)**ORDER***New Delhi, the 16th April 1964*

S.O. 1459.—In exercise of the powers conferred by Section 5 of the Essential Commodities Act, 1955, the Central Government hereby directs that the power to make orders under Clauses (f) and (j) of Sub-section (2) of Section 3 of the said Act shall, in relation to any non-ferrous metal to which the Non-Ferrous Metals Control Order 1958 for the time being applies, be exercisable also by Dr. P. Dayal, Development Officer (Metals), Directorate General of Technical Development, New Delhi, during the period 1st April, 1964 to 31st May, 1964.

[No. F. 5(1)/Met/64.]

C. S. VENUGOPALA RAO, Dy. Secy.

MINISTRY OF INTERNATIONAL TRADE*New Delhi, the 24th April 1964*

S.O. 1460.—In exercise of the powers conferred by sub-section (2) of section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby re-appoints Lala Jagannath as a Member of the Forward Markets Commission, Bombay for a period of three months with effect from the 7th April, 1964.

[No. F. 27(5)-TMP/61-C.G.]

M. L. GUPTA, Under Secy.

COFFEE CONTROL*New Delhi, the 27th April 1964*

S.O. 1461.—In pursuance of sub-section (1) of Section 9 of the Coffee Act, 1942 (7 of 1942), the Central Government has appointed Shri D. Balagopalan, I.A.S., as Additional Chief Coffee Marketing Officer, Coffee Board, Bangalore, for a period of one month with effect from the forenoon of the 15th April, 1964.

[No. 9(19)Plant(B)/63.]

B. KRISHNAMURTHY, Under Secy.

(Office of the Chief Controller of Imports and Exports)

ORDER NO. 10/64

IMPORT TRADE CONTROL*New Delhi, the 2nd May 1964***Sub.—Open General Licence No. IV—Amendment of**

S.O. 1462.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following further amendment to the Open General Licence No. IV published with the Government of India, late Ministry of Commerce and Industry Imports (Control) Order No. 2/61, dated the 28th February, 1961, as subsequently amended, namely:—

In the said Licence, for item (iii) and the proviso thereto, the following shall be substituted, namely:—

“(iii) any goods included in Schedule I to the Imports (Control) Order, 1955, and which—

- (A) are *bonafide* samples or advertising matter, supplied free of charge, not exceeding Rs. 250/- in c.i.f. value in one consignment, excepting “vegetable seeds” falling under S. No. 36 and “New drugs”, as defined in rule 30-A of the Drugs Rules 1945, falling under S. Nos. 87 and 109, of Part IV of the Import Trade Control Schedule:

Provided that such samples or advertising matter are not sold by the importer; or

- (B) are supplied free of charge in replacement of goods previously imported which have been found to be defective or otherwise unfit for use:

Provided that—

- (1) the defect in the goods previously imported is noticed before the clearance of the goods from the Customs House and is brought to the notice of the Customs authorities and it is proved to the satisfaction of the Customs authorities that the goods so found defective or otherwise unfit for use, are actually returned to the manufacturer or consignor or are destroyed or surrendered to or vested in the Government for such action as they may deem fit, within three months from the date of clearance from the Customs House; or
- (2) the shipments of such goods are made within six months from the date of clearance of the previously imported goods from the

Customs House and the following documents are produced before the Customs authorities, namely:—

- (a) original letter from the foreign suppliers stating that such goods are being supplied free of cost;
- (b) a survey certificate issued by Lloyds Agents or any other authorised insurance surveyors that the goods were actually received in defective condition and required replacements; and
- (c) evidence to show that the goods found defective or otherwise unfit for use have actually been returned to the manufacturer or consignor or have been destroyed in the presence of the Customs authorities or surrendered to or vested in the Government for such action as they deem fit:

Provided further that where there is a guarantee period for the previously imported goods, being machines, and such guarantee period is more than six months, shipments of the goods, being machines or parts thereof, in replacement of the goods previously imported are made within the guarantee period and the following documents are produced before the Customs authorities, namely:—

- (a) original letter from the foreign suppliers stating that such goods are supplied free of cost;
- (b) a certificate from a qualified engineer to the effect that the machine or part thereof is considered unfit to be used for the purpose for which it is intended;
- (c) evidence showing the date of previous importation of the machinery and the period of guarantee given by the foreign manufacturer or supplier;
- (d) evidence to show that the machine or part thereof, found defective or otherwise unfit for use, has actually been returned to the manufacturer or consignor or surrendered to or vested in the Government for such action as they may deem fit."

[No. 45/2/63-Pol.IV/III.]

P. N. SAREEN, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 18th April 1964

S.O. 1463.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, the same having been previously published as required by the said Section, namely:—

THE TURMERIC GRADING AND MARKING RULES, 1964

1. Short title and application.—(1) These rules may be called the Turmeric Grading and Marking Rules, 1964.

(2) They shall apply to turmeric, both in whole and powder form, produced in India.

2. Definitions.—In these rules,—

- (1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.
- (2) "Schedule" means a Schedule appended to these rules.

3. Grade Designations.—The grade designations to indicate the quality of turmeric shall be as set out in column 1 of Schedules II to IV.

4. Definition of quality.—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 7 in Schedule II, in columns 2 to 4 in Schedule III and in columns 2 to 8 in Schedule IV.

5. Grade designation marks.—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word 'AGMARK' and the figure of the rising sun, with the words 'Produce of India and 'भारतीय उत्पाद' resembling the one as set out in Schedule I.

6. Methods of Marking.—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser and shall clearly show the following particulars, namely:—

- (a) Grade designation, with the words "turmeric fingers", "turmeric bulbs" or "turmeric powder" as the case may be.
- (b) Variety or trade name in the case of fingers and bulbs only.
- (c) Net weight.
- (d) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said officer, provided that the private trade mark does not represent quality or grade of turmeric different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of Packing.—(1) Only sound, clean and dry containers, such as may be prescribed by the Agricultural Marketing Adviser, shall be used for packing which shall be free from any insect infestation or fungus contamination and also be free from any undesirable smell.

(2) The containers shall be securely closed and sealed, in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain turmeric of one grade designation only.

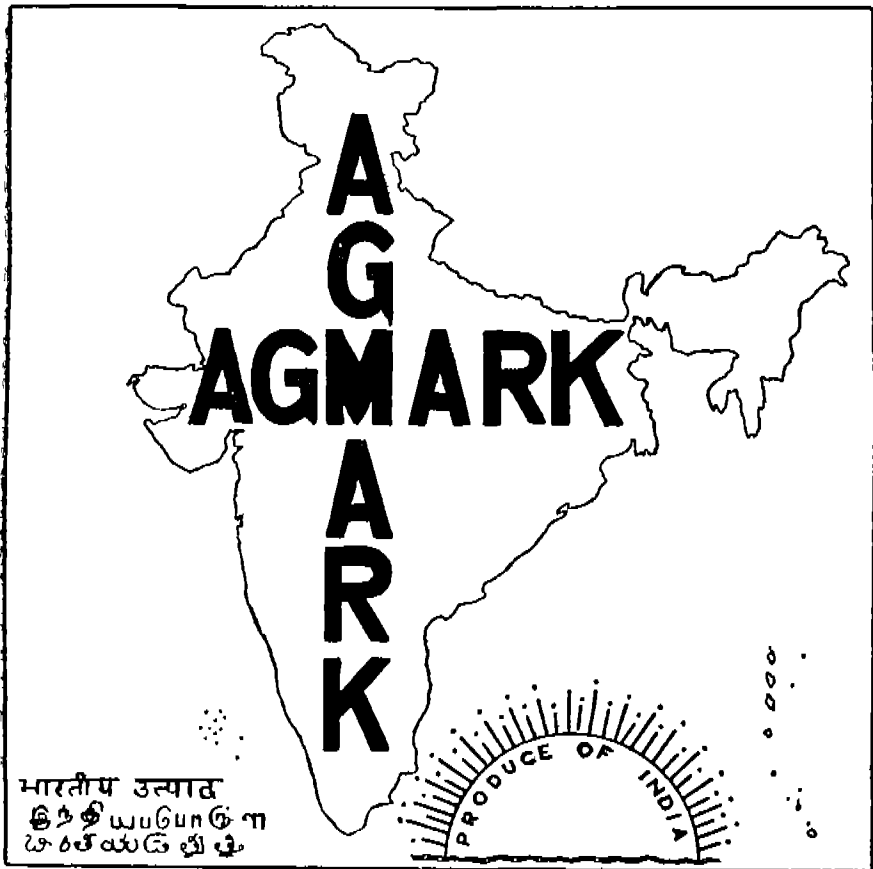
8. Special conditions of Certificate of Authorisation.—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following special conditions shall be observed by packers to the satisfaction of Agricultural Marketing Adviser, namely:—

- (1) An authorised packer shall make such arrangements for testing turmeric, as may be prescribed, and samples thereof shall be forwarded to such Control Laboratories, as may be specified from time to time by the Agricultural Marketing Adviser.
- (2) An authorised packer shall provide all facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf, for sampling, testing and such other matters as may be necessary.

SCHEDULE I

(See rule 5)

Design for the grade designation mark



NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for purpose of export.

SCHEDULE II

(See Rules 3 and 4)

Grade designations and definition of quality of turmeric 'Fingers' produced in India

Special Characteristics

Grade Designation	Special Characteristics					General Characteristics
	Flexibility	Surface	Foreign matter% by wt. maximum	Chora and defective bulbs% by wt. max.	Percentage of bulbs (by weight) maximum	
1	2	3	4	5	6	7
Special . . .	Should be hard to touch and break with metallic twang.	Should be free from wrinkles.	1.0	0.5	1.0	1. The turmeric 'fingers' shall be secondary rhizomes of the plant <i>Curcuma longa</i> L. 2. They shall: (a) be well set and closely grained and be free from bulbs (Primary rhizomes) and ill developed porous fingers; (b) have the shape, length (not below 15 mm.) and colour characteristic of the variety. (c) be perfectly dry and free from damage caused by weevils, moisture, over-boiling or fungus attack except that 0.1% and 0.2% by weight of rhizomes damaged by moisture and over-boiling shall be allowed in grades Good and Fair respectively; (d) not have been artificially coloured with chemicals or dyes.
Good . . .	Do.	Should not be highly shrivelled.	1.5	1.0	3.0	
Fair . . .	Should be hard	Do.	2.0	1.5	5.0	
Non-Specified . .	..	..	..	..	..

NOTE:—

Foreign matters: includes chaff, dried leaves, powder, clay particles, dust, dirt and any other extraneous matter.

Length: Shall be reckoned from one tip of the finger to the other tip longitudinally.

Colour of Core and Flexibility: shall be reckoned from fingers freshly broken with hands.

Chora and defective bulbs: includes immature small fingers and/or bulbs, internally damaged, hollow and porous bulbs, cut bulbs and other types of damaged bulbs except weevilled bulbs.

Non-specified : This is not a grade in its strict sense, but has been provided for the produce not covered by the other grades. Turmeric fingers under this grade shall be exported only against a 'Firm Order'.

SCHEDULE III

(See Rules 3 and 4)

Grade designations and definition of Quality of Turmeric bulbs (Rounds, Gathas or Golas) Produced in India

Grade designation	Special Characteristics		General Characteristics
	Foreign matter% by weight maximum	Chora & defective bulbs % by weight maximum	
1	2	3	4
Special	1.0	1.0	1. The turmeric bulbs shall be primary rhizomes of the plant <i>Curcuma longa</i> L. (Syn. <i>C. domestica</i> Val).
Good	1.5	3.0	2. They shall : (a) be well developed, smooth, sound, soft and free from rootlets;
Fair	2.0	5.0	(b) have the shape, length (not below 15 mm.) and colour characteristic of the variety;
Non-specified . . . . .	..	..	(c) be perfectly dry; (d) be free from damage caused by weevils, moisture, over-boiling or fungus attack except that 0.1% and 0.2% by weight of rhizomes damaged by moisture and overboiling shall be allowed in grades Good and Fair respectively; (e) have not been artificially coloured with chemicals or dyes.

NOTE :—

Foreign matter : includes chaff, dried leaves, powder, clay particles, dust, dirt and any other extraneous matter.

Chora and defective bulbs: includes immature small fingers and/or bulbs, internally damaged, hollow bulbs, cut bulbs and other types of damaged bulbs except weevilled bulbs.

Length : shall be reckoned at the points of greatest thickness of the bulbs.

Colour of Core : shall be reckoned in bulbs freshly broken with hands.

Non-specified : This is not a grade in its strict sense, but has been provided for the produce not covered by the other grades. Turmeric bulbs under this grade shall be exported only against a 'Firm Order'.

SCHEDULE IV
(See Rules 3 and 4)
*Grade designation and definition of quality of turmeric powder.

Grade designation	Special Characteristics						General Characteristics
	Moisture percent by wt. max.	Total ash % by wt. max.	Acid inso- luble Ash% by wt. max.	Lead as (Pb) parts per million max.	Starch % by wt. max.	Chromate test	
I	2	3	4	5	6	7	8
Standard	10.0	7.0	1.5	2.5	60.0	Negative.	<ol style="list-style-type: none"> 1. The turmeric powder shall be prepared by grinding clean dry turmeric (<i>Curcuma Longa</i> L.) rhizomes. 2. It shall have its characteristic taste, flavour and be free from musty odour. 3. It shall be free from dirt, mould growth and insect infestation. 4. It shall be free from any colouring matter such as lead chromate, preservatives and extraneous matters such as cereal or pulse flour or any added starch. 5. It shall be ground to such a fineness that all of it passes through three hundred micron sieve.

*Adopted from IS : 2446-1963

[No. F. 17-25/63-AM]
R. R. GUPTA, Under Secy.

(Department of Agriculture)*New Delhi, the 22nd April 1964*

S.O. 1464.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following further amendments to the Supplementary Rules issued with the Government of India Finance Department letter No. 104-C.S.R., dated the 4th February, 1922, namely:—

In part VIII of the said rules, after division XXVI-K, the following heading and rules shall be inserted, namely:—

DIVISION XXVI-L THE REGIONAL POULTRY FARMS (ALLOTMENT OF RESIDENCE) RULES, 1964

Short title, application and commencement (S.R. 317-L.1).—(1) The rules in this Division may be called the Regional Poultry Farms (Allotment of Residence) Rules, 1964.

(2) These rules shall apply to the allotment of residences at the Regional Poultry Farms, Bombay, Bhubaneswar and Hessaraghatta (Bangalore) to the officers and members of the staff of the said Poultry Farms.

(3) The President may, from time to time, add any residence to, or remove any residence from any of the types of residences specified in column 1 of the Schedule, or change the classification of any such residence.

2. Definitions (S.R. 317-L.2).—In these rules, unless the context otherwise requires:—

- (a) 'allotment' means the grant of a licence to occupy a residence in accordance with the provisions of these rules;
- (b) 'allotment year' means the year beginning on the 1st January or such other period as may be notified by the President;
- (c) 'allottee' means an officer or member of the staff of the Regional Poultry Farm at Bombay, Bhubaneswar or Hessaraghatta (Bangalore) who has been allotted a Government residence under these rules;
- (d) 'applicant' means an officer or member of the staff of the Regional Poultry Farm at Bombay, Bhubaneswar or Hessaraghatta (Bangalore) who applies for allotment of a Government residence under these rules.
- (e) 'competent authority' means the Officer-in-Charge of the Regional Poultry Farm at Bombay, Bhubaneswar or Hessaraghatta (Bangalore).
- (f) 'duty' does not include any leave other than casual leave;
- (g) 'emoluments' means the emoluments as defined in Fundamental Rule 45-C, but does not include any compensatory allowance;

Explanation.—In the case of an applicant who is under suspension, the emoluments drawn by him on the first day of the allotment year in which he is placed under suspension, or, if he is placed under suspension on the first day of the allotment year, the emoluments drawn by him on the day immediately before that date shall be taken as the emoluments;

- (h) 'family' means the wife or husband, as the case may be, and children, step-children, legally adopted children, parents, brothers or sisters ordinarily residing with and dependent on the applicant;
- (i) 'Government' means the Central Government;
- (j) 'priority date' of an applicant in relation to a type of residence to which he is eligible under the provisions of S.R. 317-L-5 means the earliest date from which he has been continuously drawing emoluments relevant to a particular type or a higher type in a post under the Government except for periods of leave;

Provided that in the case of an applicant who, before the 1st July, 1959, had drawn less than Rs. 110 per mensem as emoluments in a Class III post, the period during which he drew such emoluments shall also be counted towards his priority date for a type II residence:

Provided further that where an applicant on deputation to foreign service is reposted to any of the Regional Poultry Farms at Bombay, Bhubaneswar or Hessaraghatta (Bangalore), the period of foreign

service shall be included for the purpose of determination of his priority date:

Provided also that where the priority date of two or more applicants is the same, the applicant in receipt of higher emoluments will have precedence over the applicant in receipt of lower emoluments; and where the emoluments are equal, precedence shall be determined by the length of service under the Government;

(k) 'rent' means the sum of money payable monthly in accordance with the provisions of the Fundamental Rules in respect of a residence allotted under these rules;

(l) 'residence' means any residence included in any of the types of residences for the time being specified in the Schedule;

(m) 'Schedule' means the Schedule attached to these rules;

(n) 'subletting' includes sharing of the allotted accommodation by an allottee with another person with or without payment of rent by such other person.

Explanation.—Any sharing of accommodation by an allottee with close relations or casual guests shall not be deemed to be subletting.

(o) 'temporary transfer' means a transfer which involves an absence for a period not exceeding four months;

(p) 'transfer' means a transfer from the Regional Poultry Farm to any other place and includes a transfer or reversion to service under a State Government or Government of a Union Territory;

(q) 'Type' in relation to an applicant means the type of residence to which he is eligible under S.R. 317-L-5.

Ineligibility of applicants owning houses for allotment under these rules [S.R. 317-L-3(1)].—No applicant shall be eligible for allotment of Government accommodation under these rules or if he is already in occupation of such accommodation, for its continued retention, if:

(a) he owns, or has, since the allotment of Government accommodation, become the owner in full or in part, whether in his own name or in the name of any other person, of a house which is located within six miles of the place of his duty and in which he can, in the opinion of the Government, reside consistently with his official position; or

(b) his wife or any dependent child owns, or has since the allotment of Government accommodation, become the owner, in full or in part, of a house which is located within six miles of the place of his duty and in which he can, in the opinion of the Government, reside consistently with his official position; or

(c) his father, mother or any other dependent relation owns, or has, since the allotment of Government accommodation, become the owner of a house which is located within six miles of the place of his duty and in which he can, in the opinion of the Government, reside consistently with his official position and without undue inconvenience either to himself or to the owner thereof.

(2) Every applicant who, on any date (hereinafter in these rules referred to as the relevant date) subsequent to the date of his making application for allotment of Government accommodation or subsequent to the date of the allotment of Government accommodation, becomes ineligible for such allotment under clause (a) or clause (b) or clause (c) of sub-rule (1) shall notify the fact to the competent authority within a period of seven days of the relevant date. In the event of the applicant's failure to do so, the competent authority may reject the application for allotment and, if an allotment has already been sanctioned, cancel such allotment with effect from the relevant date and require the allottee to vacate the Government accommodation forthwith.

(3) Notwithstanding anything contained in sub-rules (1) and (2), the Government may allot or re-allot Government accommodation to an applicant, subject to such conditions as it may deem fit to impose, if:

(a) the house owned by him, his wife, any dependent child or by his father, mother or any other dependent relation has been requisitioned by the Government; or

(b) it is proved to the satisfaction of the Government that such house was given out on lease:

- (i) before the posting of the applicant to the place of his duty;
- (ii) before the acquisition of such house by him, his wife, any dependent child or by his father, mother or any other dependent relation; or
- (iii) with the express approval of Government;

and the Government; is satisfied that it is not possible for the lessor, for reasons beyond his control to obtain vacant possession of the house.

(4) If at any time it appears to the Government that no efforts have been made to obtain vacant possession of the house, it shall be open to the Government to give suitable directions as to the steps to be taken to obtain vacant possession of the house, and, if such directions are not complied with, to cancel the allotment and to require the allottee to vacate the Government accommodation forthwith, or to charge rent for Government accommodation under Government of India decision (2) below Fundamental Rule 45-B or twice the standard rent under F.R. 45-A or twice the pooled standard rent under F.R. 45-A where rents have been pooled or 15 per cent of his emoluments, whichever is the highest.

Allotment to husband and wife. Eligibility in cases of applicants who are married to each other [S.R. 317-L-4(1)].—No applicant shall be allotted a residence under these rules if the wife or the husband, as the case may be, of the applicant has already been allotted a residence, unless such residence is surrendered:

Provided that this sub-rule shall not apply where the husband and wife are residing separately in pursuance of an order of judicial separation made by any court.

(2) Where two allottees in occupation of separate residences allotted under these rules marry each other, they shall, within one month of the marriage, surrender one of the residences.

(3) If a residence is not surrendered as required by Sub-rule (2), the allotment of the residence of the lower type shall be deemed to have been cancelled on the expiry of such period and if the residences are of the same type the allotment of such one of them as the competent authority may choose shall be deemed to have been cancelled on the expiry of such period.

(4) Where both husband and wife are employed under the Government, the title of each of them to allotment of residence under these rules shall be considered independently.

Classification of residence (S.R. 317-L-5).—Save as otherwise provided by these rules, persons whose monthly emoluments on the first day of the allotment year are as specified in Column (2) of the Schedule, shall be entitled to get allotted the type of residence mentioned in the corresponding entry in column (1) thereof.

Application for allotment [S. R. 317-L-6(1)].—An applicant who seeks allotment of a residence and an allottee who desires that the allotment already made to him should be continued, may apply at any time and shall apply in that behalf to the competent authority when directed to do so by him and in such form and manner and by such date as may be prescribed by him.

(2) All applications received otherwise than in pursuance of a direction issued under sub-rule (1) but before the 20th day of a calendar month shall be considered for allotment in the succeeding month.

Allotment of residences and offers (S.R. 317-L-7).—(1) Save as otherwise provided in these rules, a residence, on falling vacant, will be allotted by the competent authority to an applicant having the earliest priority date for that type of residence subject to the following conditions:—

- (i) The competent authority shall not allot a residence of a type higher than what the applicant is eligible under S.R. 317-L-5.
- (ii) The competent authority shall not compel any applicant to accept a residence of a lower type than what he is eligible under S.R. 317-L-5.
- (iii) The competent authority on request from an applicant for allotment of a lower category residence may allot to him a residence next below the type for which the applicant is eligible under S.R. 317-L-5 on the basis of his priority date for the same.

(2) The competent authority may cancel the existing allotment of an allottee and allot to him an alternative residence of the same type or in emergent circumstances an alternative residence of the type next below the type of residence occupied by such allottee, if the residence in his occupation is required to be vacated.

(3) A vacant residence may, in addition to allotment to an applicant under sub-rule (1) be offered simultaneously to other eligible applicants in the order of their priority dates.

Out-of-turn allotments (S.R. 317-L-8).—Notwithstanding the provisions of S.R. 317-L-7, allotment of a residence may be made by the competent authority on out-of-turn basis to an applicant on grounds of serious illness of self or a member of his family in consultation, if considered necessary, with the prescribed medical authority. The priority for allotment in such cases will be the date on which the application of the applicant for out-of-turn allotment is received by the competent authority.

Non-acceptance of allotment or offer or failure to occupy the allotted residence after acceptance (S.R. 317-L-9).—(1) If an applicant fails to accept the allotment of a residence within five days or fails to take possession of that residence after acceptance, within eight days from the date of receipt of the letter of allotment he shall not be eligible for another allotment for a period of one year from the date of the allotment letter.

(2) If an allottee occupying a lower type residence is allotted or offered a residence of the type for which he is eligible under S.R. 317-L-5 or for which he has applied under S.R. 317-L-7(iii), he may, on refusal of the said allotment or offer of allotment be permitted to continue occupation of such lower type residence on the following conditions, namely:

- (a) that such an allottee shall not be eligible for another allotment for a period of six months from the date of the allotment letter for the higher class accommodation; and
- (b) that while retaining the existing residence he shall be charged the same rent which he would have had to pay under F.R. 45-A in respect of the residence so allotted or offered or the rent payable in respect of the residence already in his occupation, whichever is higher.

Period for which allotment subsists and the concessional period for further retention (S.R. 317-L-10).—(1) An allotment shall be effective from the date on which it is accepted by the allottee and shall continue to be in force until:—

- (a) the expiry of the concessional period permissible under sub-rule (2) after the allottee ceases to be on duty at the particular station;
- (b) it is cancelled by the competent authority is deemed to have been cancelled under any provision in these rules;
- (c) it is surrendered by the allottee; or
- (d) the officer ceases to occupy the residence.

(2) A residence allotted to an applicant may subject to sub-rule (3), be retained on the happening of any of the events specified in column 1 of the Table below for the period specified in the corresponding entry in column 2 thereof, provided that the residence is required for the *bona-fide* use of the applicant or members of his family:—

TABLE

Events	Permissible period for retention of the residence :	
(1)	(2)	
	(A)	(B)
(i) Resignation, dismissal removal or termination of service.	By rent paying officers. 1 month.	By Officers allotted reserved residences and those " allotted accommodation on rent " free basis.

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	(A)	(B)
(ii) Retirement or terminal leave.	2 months	
(iii) Death of the allottee	4 months }	1 month.
(iv) Transfer	2 months	15 days.
(v) On proceeding on foreign service in India.	2 months	15 days.
(vi) Temporary transfer in India or transfer to a place outside India.	4 months.	1 month.
(vii) Leave (other than leave preparatory to retirement, refused leave, terminal leave, medical leave or study leave).	For the period of leave but not exceeding 4 months.	1 month.
(viii) Leave preparatory to retirement or refused leave granted under F.R. 86.	For the full period of leave on full average pay subject to a maximum of 4 months inclusive of the period permissible in the case of retirement.	1 month.
(ix) Study leave or deputation outside India.	For the period of leave but not exceeding 6 months.	1 month.
(x) Study leave in India.	For the period of leave but not exceeding 6 months.	1 month.
(xi) Leave on medical grounds (other than T.B. leave).	For the period of leave but not exceeding 8 months.	1 month.
(xii) Medical leave on grounds of T.B.	For the full period of leave.	1 month.
(xiii) On proceeding on training.	For the full period of training.	15 days.

Explanation.—The period permissible on transfer mentioned against items (iv), (v), (vi) and (vii) in Column 2(a) shall count from the date of relinquishing charge and shall be in addition to the period of leave, if any, sanctioned to and availed of by the officer before joining duty at the new office.

(3) An allottee who has been allowed to retain the residence shall on re-employment or transfer as the case may be within the period specified in the said Table below sub-rule (2) be entitled to retain that residence and he shall also be eligible for any further allotment of residence under these rules.

Provided that if the emoluments of the allottee on such re-employment or transfer, as the case may be, do not entitle him to the type of residence occupied by him, he shall be allotted a lower type of residence.

Provisions relating to rent (S.R. 317-L-11).—(1) (a) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for rent shall commence on the date of occupation or on the eighth day from the date of receipt of the allotment, whichever is earlier.

(b) An allottee who, after acceptance, fails to take possession of that accommodation within eight days from the date of receipt of the allotment letter, shall be charged rent from such date up to a period of one month or up to the date of re-allotment of that particular accommodation, whichever is earlier.

(2) Where an allottee who is in occupation of a residence is allotted another residence and he occupies the new residence, the allotment of the former residence shall be deemed to be cancelled from the date of occupation of the new residence. He may however, retain the former residence without payment of rent for that day and the subsequent day for shifting.

Personal liability of the allottee for payment of rent till the residence is vacated and furnishing of surety by temporary Government servants [S.R. 317-L-12(1)].—The allottee shall be personally liable for the rent thereof and for any damage beyond fair wear and tear caused thereto or to the furniture, fixtures or fittings or services provided therein by the Government during the period for which the residence has been and remains allotted to him, or where the allotment has been cancelled under any of the provisions in these rules, until the residence, along with the out-houses appurtenant thereto have been vacated and full vacant possession thereof has been restored to the Government.

(2) Where the allottee is neither a permanent nor a quasi-permanent Government servant, he shall execute a security bond in the form prescribed in this behalf by the Government with a surety, who shall be a permanent Government servant serving under the Government for due payment of rent and other charges due from him in respect of such residence and services and any other residence provided in lieu thereof.

(3) If the surety ceases to be in Government service or becomes insolvent or withdraws his guarantee or ceases to be available for any other reasons, the allottee shall furnish a fresh bond executed by another surety within thirty days from the date of his acquiring knowledge of such event or fact; and if he fails to do so, the allotment of the residence to him shall, unless otherwise decided by the competent authority be deemed to have been cancelled with effect from the date of that event.

Surrender of an allotment and the period of notice. (S.R. 317-L-13).—An allottee may at any time surrender an allotment by giving intimation so as to reach the competent authority at least ten days before the date of vacation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the eleventh day on which the letter is received by the competent authority or the date specified in the letter, whichever is later. If he fails to give due notice he shall be responsible for payment of rent for ten days or the number of days by which the notice given by him falls short of ten days, provided that the competent authority may accept a notice for a shorter period.

Change of residence (S.R. 317-L-14).—(1) An allottee may apply for a change of residence within the same type. Not more than one change shall be allowed in respect of one type of residence allotted to the officer.

(2) Offers of change of residences shall be made in the order in which applications for such change are received.

(3) If an allottee fails to accept a change of residence offered to him within five days of the receipt of such offer or allotment or fails after acceptance, to move therein within eight days of the receipt of such offer or allotment, he shall not be considered again for a change of allotment of that type and in the latter case, he shall be liable to pay rent as provided under S.R. 317-L-11(1).

Change of residence in the event of death of a member of the family. (S.R. 317-L-15).—Notwithstanding anything contained in S.R. 317-L-14, an allottee may be allowed a change of residence on the death of any member of his family if he applies for a change within three months of such occurrence, provided that the change will be given in the same type of residence and in the same floor as the residence already allotted to him.

Mutual exchange of residences (S.R. 317-L-16).—Applicants to whom residences of the same type have been allotted under these rules, may apply for permission to mutually exchange their residences. Permission for mutual exchanges may be granted if both the applicants are reasonably expected to be on duty and to reside in their mutually exchanged residences for at least six months from the date of approval of such exchange.

Transfer to non-family stations. (S.R. 317-L-17).—If an allottee is transferred to a station where he is not permitted or advised by the Government to take his family with him and the residence allotted to him under these rules is required by the family for the bona-fide educational needs of his children, he may be allowed, on request, to retain the residence on payment of rent under F.R. 45-A, till the completion of his childrens' education for the current academic year.

Maintenance of residence. (S.R. 317-L-18).—An allottee shall maintain the residence and premises in a clean condition to the satisfaction of the Central Public Works Department and the local Municipal authority. He shall not grow any tree, shrubs or plants contrary to the instructions issued by the Government or Central Public Works Department nor cut or lop off any existing tree or shrub in any

garden, courtyard or compound attached to the residence save with the prior permission in writing of the Central Public Works Department. Trees, plantation or vegetation, grown in contravention of this rule may be caused to be removed by the competent authority at the cost of the allottee.

Subletting and sharing of residences. (S.R. 317-19).—(1) No allottee shall share the residence allotted to him or any of the out-houses, garages and stables appurtenant thereto, except with the employees of the Government eligible for allotment of residences under these rules. The servants' quarters, out-houses, garages and stables may be used only for the bona-fide purposes including residence of the servants of the allottee or for such other purposes as may be permitted by the Government.

(2) No officer shall sublet the whole of his residence:

Provided that an allottee proceeding on leave may accommodate in the residence any other officer eligible to share Government accommodation, as a care-taker, for the period specified in S.R. 317-L-10(2) but in no case exceeding six months.

(3) Any allottee who shares or sublets his residence shall do so at his own risk and responsibility and shall remain personally responsible for any rent payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by the Government beyond fair wear and tear.

Consequences of breach of rules and conditions. (S.R. 317-20).—(1) If an allottee unauthorisedly sublets the residence or charges rent from the sharer at a rate which the Government considers excessive or erects any unauthorised structure in any part of the residence or uses the residence or any portion thereof for any purposes other than that for which it is meant or tampers with the electric or water connection or commits any other breach of the rules in this Division or of the terms and conditions of the allotment or uses the residence or premises or permits or suffers the residence premises to be used for any purpose which the competent authority considers to be improper or conducts himself in a manner which in his opinion is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement, with a view to securing the allotment, the competent authority may, without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the residence.

Explanation.—In this sub-rule, the expression 'allottee' includes, unless the context otherwise requires, a member of his family and any person claiming through the allottee.

(2) If the allottee has failed to notify to the competent authority as provided for in sub-rule (2) of S.R. 317-L-3 or while so notifying, has in any application or statement suppressed any material fact the competent authority may cancel the allotment with effect from the date he became ineligible for allotment of Government accommodation under sub-rule (1) of S.R. 317-L-3.

(3) If a allottee sublets a residence allotted to him or any portion thereof or any of the out-houses, garages or stables appurtenant thereto, in contravention of these rules he may, without prejudice to any other action that may be taken against him, be charged enhanced rent not exceeding four times the standard rent under R.R. 45-A. The quantum of rent to be recovered and the period for which the same may be recovered in each case will be decided by the competent authority on merits. In addition, he may be debarred from sharing the residence for such period in future as may be specified by the competent authority.

(4) Where action to cancel the allotment is taken on account of unauthorised subletting of the premises by the allottee, a period of sixty days shall be allowed to the allottee, and any other person residing with him therein to vacate that premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of sixty days—from the date of orders for the cancellation of the allotment, whichever is earlier.

(5) Where the allotment of a residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with neighbours, the allottee may be allotted at the discretion of the competent authority another residence of the same type at any other place.

Overstayed in residence after cancellation of allotment. (S.R. 317-L-21).—Where, after an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains or has remained in the

occupation of the officer to whom it was allotted or of any person claiming through him, such allottee shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges, equal to the market rent as may be determined by the Government from time to time.

Provided that an allottee may, in special cases, be allowed by the competent authority to retain a residence on payment of twice the standard rent under F.R. 45-A or twice the pooled standard rent under F.R. 45-A whichever is higher, for a period not exceeding six months beyond the period permitted under S.R. 317-L-10(2).

Continuance of allotments made prior to the issue of these rules. (S.R. 317-L-22).—Any valid allotment of a residence which is subsisting immediately before the commencement of these rules under the rules in force at the time of such allotment shall be deemed to be an allotment duly made under these rules notwithstanding that the allottee is not entitled to a residence of that type under S.R. 317-L-5 and all the preceding provisions of these rules apply in relation to that allotment and that allottee accordingly.

Interpretation of rules. (S.R. 317-L-23).—If any question arises as to the interpretation of the rules in this Division the decision of the Government thereon shall be final.

Relaxation of Rules. (S.R. 317-L-24).—The Government may for reasons to be recorded in writing relax all or any of the provisions of the rules in this Division in the case of any applicant or residence or class of applicants or type of residences.

Delegation of powers or functions. (S.R. 317-L-25).—The Government may delegate any or all the powers conferred upon it by the rules in this Division to any officer under its control, subject to such conditions as it may deem fit to impose.

THE SCHEDULE

(See S.R. 317-L. 5)

Type of residence (1)	Monthly emoluments. (2)
I	Less than Rs. 110.
II	Less than Rs. 250 but not less than Rs. 110.
III	Less than Rs. 400 but not less than Rs. 250.
IV	Less than Rs. 700 but not less than Rs. 400.
V	Less than Rs. 1300 but not less than Rs. 700.

[No. F. 27-44/60-LDII.]

T. SRINIVASAN, Dy. Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 18th April 1964

S.O. 1465.—The Federation of Indian Chambers of Commerce and Industry having nominated Shri N. P. Nopany, 178 Mahatma Gandhi Road, Calcutta-7 as a member of the Indian Central Oilseeds Committee to represent the Federation, under Section 4(n) of the Indian Oilseeds Committee Act 1946 (9 of 1946), the Central Government hereby notifies that the said Shri N. P. Nopany shall be a member of the Committee for the term ending the 31st March, 1967.

[No. 8-4/64-Com. III]

S.O. 1466.—The Government of Maharashtra having nominated the Director of Agriculture, Maharashtra State, Poona, as a member of the Indian Central Oilseeds Committee to represent the State Government under Section 4(e) of the Indian Oilseeds Committee Act 1946 (9 of 1946), the Central Government hereby notifies that the said Director of Agriculture Maharashtra State shall be a member of the Committee for the term ending the 31st March, 1967.

[No. 8-5/64-Com. III.]

N. K. DUTTA, Under Secy.

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 17th April 1964

S O. 1467.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals, S O No 785, dated 22nd February 1964, under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines.

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub section (1) of section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances

SCHEDULE

State—Gujarat		District—Baroda		Taluka—Baroda	
Village	Survey No.	Acre	Guntha	Sq. Yds	
Ankodia	Simada of Khanpur	0	0	62	
"	60	0	21	80	
"	Village Road	0	11	3	
"	56	0	13	14	
"	55	0	12	18	
"	54	0	3	104	
"	Village Road	0	12	18	
"	750	0	5	118	
"	Village Road	0	9	93	
"	754	0	12	26	
"	755	0	19	65	
"	771	0	12	41	
"	765	0	15	52	
"	770	0	0	28	
"	764	0	0	18	
"	722	0	12	111	
"	Village Road	0	1	3	
"	787	0	4	5	
"	786/1	0	17	20	
"	792/2	0	7	55	
"	786/1	0	15	5	
"	785/2	0	3	2	
"	783	0	13	84	
"	784	0	1	21	
"	Village Road	0	3	104	
"	450	0	15	18	
"	449	0	6	7	
"	439	0	20	77	
"	435	0	20	84	
"	433	0	5	95	
"	432	0	20	38	
"	Village Road	0	3	26	
"	356/23	0	1	36	
"	356/4	0	3	93	

Village	Survey No	Acre	Guntha	Sq Yds
Ankodia	357	0	5	17
"	354/2	0	11	78
"	354/1	0	0	39
"	359	0	0	36
"	353	0	20	84
"	362	0	19	65
"	364	0	13	78
"	365	0	5	78
"	368	0	0	72
"	367	0	22	91
"	397	0	11	105
"	398	0	1	68
"	396	0	0	112
"	399/1	0	11	77
"	395	0	20	69
"	393	0	4	41
"	394/1	0	8	28
"	394/2	0	7	55
"	394/3	0	0	100
"	Village Road	0	0	62
Koyah	1551	0	0	10
"	1547	0	34	33
"	Village Road	0	3	24
"	1537	0	7	70
"	1539	0	2	115
"	1508	0	3	117
"	1508/2	0	7	64
"	1505/1	0	6	104
"	86	0	6	75
"	85	0	11	15
"	84	0	7	86
"	Village Road between S No. 84 and 83	0	0	93
"	83	0	8	27
"	82	0	8	10
"	Village Road between S No 82 & 67/2	0	3	28
"	75	0	13	76
"	76	0	13	21
"	77	0	11	108
"	Village Road between S No 77 & 338	0	1	74
"	338	0	21	41
"	340	0	27	75
"	342	0	16	55
"	343/1	0	9	31
"	343/2	0	16	55
"	Village Road between S No 343/1 & 415	0	10	34
"	415	0	3	19
"	414	0	0	100
"	412	0	1	39
"	413	0	15	67
"	Village Road between S No 414 & 412	0	6	21
"	430	0	4	60
"	429	0	4	60
"	428	0	4	60
"	427	0	4	60
"	426	0	20	67
"	Village Road between Simada of Ankodia and Koyah	0	0	62
"	1464	0	0	10
"	1466	0	19	70
"	1465	0	0	4
"	Village Road	0	0	80
"	1467	0	5	68
"	1463	0	0	62
"	1462	0	3	21
"	1461	0	5	75
"	1469	0	4	49

Village	Survey No.	Acre	Guntha	Sq Yds.
Koyali	Simado	0	0	67
Bajuva	85	0	10	105
"	82	0	0	80
"	80	0	20	2
"	79	0	4	67
"	77 Paiki A	0	2	7
"	77 Paiki B	0	6	14
"	78	0	8	52
"	Village Road	0	0	107
"	62/1	0	4	49
"	63/1	0	0	14
"	63/2	0	5	88
"	Simado Road	0	0	67
Sevasi	Village Road between Bhail & Sevasi	0	1	73
"	583	0	28	11
"	584	0	20	61
"	566	0	20	69
"	567	0	2	42
"	Village Road between S. No. 566 & 567	0	1	11
"	553	0	2	30
"	551/1	0	18	0
"	550	0	4	101
"	549	0	18	0
"	547	0	13	37
"	546	0	3	88
"	543	0	12	104
"	544	0	18	109
"	Village Road between S. No. 636 and 544	0	0	101
"	636	0	17	97
"	637	0	13	84
"	676	0	0	114
"	677	0	9	0
"	648/1	0	1	71
"	670	0	21	10
"	649	0	25	63
"	669	0	14	79
"	Village Road between S. No. 779 & 669	0	3	34
"	769	0	13	60
"	770	0	1	106
"	777/1	0	5	78
"	771/2	0	7	24
"	781	0	31	21
"	Village Road between S. No. 1003 & 781	0	4	53
"	1003	0	2	25
"	1006	0	21	18
"	1004	0	11	0
"	1012	0	17	105
"	1018 Paiki	0	11	69
"	1018 Paiki	0	11	85
"	1019	0	22	52
"	Panchyat Road between Simada of Sevasi and Khanpur	0	2	108
Khanpur	Village Road between Simada of Ankodia	0	0	62
"	201	0	33	56
"	200	0	20	21
"	197	0	20	46
"	196	0	2	2
"	210	0	5	78
"	211	0	14	103
"	212	0	25	86
"	Village Road between S. No. 112 & 23	0	2	30
"	23 24	0	15	5
"	38	0	0	98

Village	Survey No.	Acre	Guntha	Sq. Yds.
Khanpur	Village Road between S.No. 23, 24 & 38	0	0	114
"	35	0	12	104
"	33	0	21	111
"	30 and 31	0	18	102
"	32	0	0	89
"	Village Road between S.No. 30 & 50	0	3	26
"	50	0	3	72
"	51	0	9	114
"	55	0	15	28
"	56	0	3	85
"	Village Panchayat Road between Simada of Khanpur and Sevasi	0	2	108
Bhhili	1669	0	24	89
"	1670	0	21	86
"	Panchayat Road	0	1	106
"	1807	0	21	119
"	1808	0	25	118
"	1809	0	17	17
"	1802	0	0	72
"	Panchayat Road	0	2	58
"	3198	0	28	6
"	3199	0	7	80
"	3202	0	4	44
"	3206	0	8	45
"	3200	0	8	99
"	Panchayat Road	0	2	78
"	3225	0	11	116
"	3226	0	3	59
"	3224	0	15	96
"	3223	0	10	110
"	3222	0	6	14
"	3216	0	11	49
"	3220	0	13	19
"	Panchayat Road	0	1	12
"	2330	0	9	118
"	2331	0	8	105
"	2334/2	0	8	85
"	2334/1	0	9	11
"	2338	0	3	112
"	2333	0	1	30
"	Panchayat Road	0	1	106
"	2344	0	15	62
"	2345	0	17	9
"	Panchayat Road	0	1	84
Gokalpur	243	0	1	29
Bhaili	891	0	7	103
"	892	0	8	52
"	893	0	8	19
"	933	0	10	23
"	Panchayat Road between S.No. 933 and 931	0	0	100
"	931	0	1	4
"	930	0	10	70
"	999	0	25	2
"	926	0	15	18
"	992	0	5	106
"	991	0	0	50
"	993	0	27	120
"	Panchayat Road	0	5	62
"	1201	0	6	35
"	1202/2	0	0	89
"	1202/1	0	19	89
"	1200	0	5	23
"	1199	0	10	103
"	1198	0	10	37

Village	Survey No.	Acre	Guntha	Sq. Yds.
Bhaili	1197	0	12	1
"	1196	0	8	54
"	1147	0	2	86
"	Panchayat Road	0	5	62
"	1155/1	0	3	115
"	1155/2	0	8	111
"	1154	0	5	20
"	1153	0	24	73
"	Panchayat Road	0	3	84
"	1668	0	25	55
Samiala	451	0	7	88
"	Panchayat Road	0	4	109
"	643	2	5	61
"	640	0	18	116
"	644	0	0	111
"	645/2	0	7	10
"	645/1	0	8	5
"	645/3	0	7	120
"	648	0	2	10
"	647	0	2	66
"	647/1	0	2	98
"	647/2	0	1	72
"	647/3	0	1	92
"	647/4	0	1	92
"	647/5	0	9	11
"	649	0	0	44
"	650	0	10	95
"	651	0	24	11
"	Panchayat Road	0	6	84
Gokulpura	101	0	19	54
"	99	0	6	27
"	98/1	0	12	115
"	98/1	0	0	107
"	86	0	11	64
"	85	0	0	112
"	83	0	4	44
"	251	0	2	75
"	249	0	19	94
"	244	0	19	4
"	247	0	14	13
Bhayali	890	0	11	9
"	1009	0	11	64
"	1775	0	17	0
"	2497	0	23	44

[No. 31/38/63-ONG.]

New Delhi, the 18th April 1964

S.O. 1468.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Cambay Gas Field in Gujarat State to the Dhuwaran Power Station in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority at Elampeco, 4th Floor, Sayaji Ganj, Opposite Baroda College, Lokmanya Tilak Road, Baroda in the office of the Gujarat Pipelines Project, Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Gujarat	District—Kaira	Taluka—Cambay		
Village	Survey No.	Acre	Guntha	Sq. Yds.
Lunej	272	0	1	43
Vasana	262	0	16	125
"	167/1	0	17	110
"	167/2	0	13	47
"	167/3	0	12	55
"	166	0	1	54
Ralej	215/1	0	9	111
"	215/2	0	3	117
"	249	0	11	100
"	183/1	0	2	91
"	183/3	0	14	93
"	152/2	0	25	2
Cambay	406/2	0	12	15
"	488/1-2	0	15	3
"	483	0	14	71
"	484	0	2	101
Sakerpur	436	0	18	26
"	437	0	4	36
"	435	0	20	60
Neza	85	1	15	85
"	23	0	14	59
Nagra	1503	0	16	1
Nana Kalodara	14/3	0	24	63

[No. 31/38/63/ONG.]

S.O. 1469.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel, S.O. No. 1980, dated 2nd July 1963, under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—West Bengal

District—Burdwan

Taluka/Thana—Raniganj

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot Nos.)	Extent (Area)
Banshra, J. L. 20	1	·08	Mangalpur, J.L. 22	167	2·83
	4	·05		170	·05
	6	·25		174	·03
	7	·11		182	·06
	568	·005		184	·23
	570	·27		186	·01
	576	·09		187	·10
	594	·13		191	·16
	596	·04		192	·04
	597	·11		193	·02
	598	·12		194	·10
	599	·18		199	·10
	600	·05		293	·24
	608	·005	Sonachora, J. L. 21	115	·18
	609	·07		383	·37
	611	·10		384	·20
	612	·10		389	·57
	727	·25		390	·05
	728	·13		391	·01
	729	·06		395	·28
	730	·08		407	·12
	735	·15		409	·04
	736	·43		423	·33
	738	·005		424	·05
	740	·19		425	·09
				426	·19
				430	·005

[No. 31(33)/63-ONG.]

S.O. 1470.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel, S.O. No. 2043, dated 1st August 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—West Bengal

District—Burdwan

Tehsil/Thana Jamuria

Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Bijpur, J.L. 35	1	·10	Bijpur, J.L. 35—contd.	1566	·08
	2	·36		1567	·05
	4	·03		1568	·05
	6	·18		1569	·17
	10	·14		1580	·13
	11	·07		1581	·02
	12	·08		1584	·33
	13	·005		1589	·26
	194	1 41		1592	·25
	197	·17		1593	005
	198	·09		1598	·20
	199	·19		1599	·13
	201	·05		1609	·02
	210	·10		1610	·17
	230	·005		1614	·18
	839	·12		1615	·20
	840	·30		1617	·13
	865	·005		1621	·03
	866	·01		1623	·13
	867	·01			
	868	·11	Tapasi, J. L. 53	211	·09
	869	·25		240	·20
	870	·03		244	·06
	871	·02		1105	·28
	873	·04		1111	·25
	874	·01		1159	·30
	882	·15			
	1059	·11	Ninga, J. L. 28	1189	·11
	1065	·23		1190	·04
	1066	·08		1192	·09
	1067	·14		1193	·41
	1068	·08		1195	·07
	1069	·15		1196	·03
	1070	·04		1216	·09
	1097	·07		1226	·11
	1098	·01		1227	·06
	1099	·01		1228	·07
	1100	·09		1230	·07
	1101	·01		1231	·03
	1102	·07		1234	·03
	1106	·06		1235	·09
	1107	·02		1236	·005
	1111	·02		1237	·02
	1112	·08		1242	·08
	1114	·01		1246	·23
	1115	·11		1247	·10
	1116	·01		1249	·05
	1117	·005		1250	·05
	1121	·10		1251	·14
	1129	·58		1252	·05
	1136	·04		1253	·15
	1445	·05		1254	·01
	1446	·36		1255	·10
	1447	·04		1271	·03
	1547	·24		1272	·12
	1548	·06		1273	·15
	1549	·03		1274	·04
	1561	·12		1275	·03
	1562	·15			
	1563	·12	Sripur, J. L. 24	1857	·01
	1564	·12		1859	·23
	1565	·22		1861	·12

Village	Survey Nos. (Plot Nos)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Sripur, J. L. 24— <i>Contd.</i>	1862 1863 1869	·12 ·05 ·03	Mithapur, J. L. 32— <i>contd.</i>	116 135 136 138 139 140	·14 ·24 ·30 ·26 ·02 ·26
Katagarua, J.L. 34	162	·13		185 194 195 196	·08 ·12 ·03 ·06
Khashkhola, J. L. 27	193 194 216 222 223 224 225 226 253 270 272 273 277 290 292 293 294 295 296 358 458 463 464 465 466 467 509 510 523 524 533 536 540 541 576	·34 ·04 ·11 ·14 ·04 ·23 ·07 ·15 ·03 ·005 ·21 ·23 ·13 ·24 ·005 ·13 ·25 ·05 ·01 ·04 ·09 ·30 ·005 ·22 ·13 ·01 ·35 ·16 ·005 ·23 ·11 ·02 ·005 ·29 ·40	Banali, J. L. 31	617 618 622 630 631 632 634 766 767 768 769 770 771 793 806 807 815 816 823 824 825 837 838 839 840 841 879 883 886 889 890 2616 2617 2618 2646 2647 2648 2649 2714 2763 2764 2765 2838 3222 3226 3229 3231 3233 3234 3235 3236 3237 3238	·18 ·13 ·01 ·30 ·08 ·05 ·12 ·005 ·06 ·07 ·04 ·15 ·12 ·18 ·07 ·30 ·10 ·19 ·07 ·07 ·03 ·13 ·12 ·02 ·07 ·49 ·23 ·12 ·005 ·18 ·03 ·01 ·20 ·18 ·15 ·02 ·19 ·03 ·18 ·31 ·11 ·005 ·25 ·03 ·13 ·02 ·02 ·05 ·06 ·02 ·08
Balanpur, J. L. 36	71 74 219 221 878	·02 ·05 ·005 ·005 ·06			
Mithapur, J. L. 32	77 80 88 89 91 92 100 101 102 106 107 108 109 111 112 113 114	·06 ·06 ·22 ·05 ·63 ·21 ·14 ·02 ·11 ·10 ·14 ·10 ·04 ·11 ·11 ·01 ·14			

Village	Survey Nos. (Plot Nos.)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Banali, J.L. 31— <i>contd</i>	3256	·21	Kunustara, J.L. 54— <i>contd</i>	20	·18
	3257	14		21	·24
	3261	·09		89	·15
	3342	·06		90	·14
	3343	·08		92	·15
	3344	·08		126	·05
	3345	·15		127	·11
	3346	·04		128	·02
	3347	·39		129	·02
	3349	·38		136	·34
	3641	·28		137	·04
	3642	·06		138	·05
	3644	·09		154	·34
				155	·21
Satgram, J.L. 33	5	·14		156	·19
	6	·07		157	·32
	8	·23		162	·07
	9	·09		386	·46
	10	·11		394	·005
	11	·14		395	·12
	50	·08		396	·04
	52	·81		397	·01
	53	·15		398	·01
	57	·81		399	·10
	354	·005		403	·005
	356	·02		413	·27
	357	·11		414	·005
	358	·03		415	·03
	359	·03		621	·10
	360	·04		622	·02
	365	·19		623	·01
	366	·27		627	·03
				628	·11
Bagra, J.L. 30	4	·06		629	·17
	6	·17		639	·07
	9	·02		645	·20
	10	·27		647	·22
	11	·005		660	·32
	12	·02		732	·01
	20	·13		734	·02
				746	·10
Goba, J.L. 26	273	·08		749	·15
	280	·57		750	·13
	325	·01		751	·07
	327	·57		754	·05
	328	·26		755	·05
	332	·01		756	·45
	344	·13		757	·01
	345	·13		758	·42
	349	·14		759	·04
	354	·28		760	·04
	355	·14		785	·17
	356	·04		787	·09
	458	1·42		843	·61
	461	·01		847	·11
	462	·11		848	·04
	463	·13		855	·39
	464	·32		856	·24
	466	·11		857	·25
	467	·30		859	·01
	468	·02		865	·05
				867	·12
Kunustara, J.L. 54	15	·28		869	·11
	16	·005		941	·25
	17	·02		1249	·005

New Delhi, the 24th April 1964

S.O. 1471.—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 559, dated the 6th February, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar			District—Monghyr		Thara—Jamui
Village with thana No.	Survey No. (Plot No.)	Extent in area	Village with thana No.	Survey No. (Plot No.)	Extent in area
Katauna No. 22.	1168	0 12	Katauna No. 22— Contd.	1322	0.01
	1246	0.05		3254	0.035
	1260	0.01		3218	0.205
	1259	0 005		3220	0.04
	1352	0.09		3219	0 11
	1354	0 01		3207	0.02
	1298	0.02		3208	0.02

[No. 31(47)/64-ONG.]

B. SUBBA RAO, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

ORDER

LIGHTHOUSES & LIGHTSHIPS

New Delhi, the 15th April 1964

S.O. 1472.—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Lighthouse Act, 1927 (17 of 1927), read with the notification of the Government of India in the late Ministry of Transport and Communications, Department of Transport (Transport Wing) S.O. No. 84 dated the 5th January 1959, the Central Government hereby authorises the Engineers (Civil), Department of Lighthouses and Lightships, Calcutta and Jamnagar, to enter upon and inspect any local lighthouse in,—

(a) the States of Andhra Pradesh, Gujarat, Kerala, Madras, Maharashtra, Mysore, Orissa and West Bengal;

(b) the Union territories of the Andaman and Nicobar Islands, the Laccadive, Minicoy and Amindivi Islands and Pondicherry.

2. This Order shall remain in force for a period of one year from the date of its publication.

[No. X/ML/64.]

B. P. SRIVASTAVA, Dy. Secy

MINISTRY OF IRRIGATION AND POWER*New Delhi, the 10th April 1964*

S.O. 1473.—In exercise of the powers conferred by sub-section (6) of section 3 of the Electricity (Supply) Act, 1948 (LIV of 1948), the Central Electricity Authority, with the approval of the Central Government, hereby appoints provisionally, until further orders, Shri C. K. V. Rao, Director in the Power Wing of the Central Water and Power Commission, as Secretary of the Central Electricity Authority, *vice* Shri Partap Singh whose resignation of the post of Secretary, Central Electricity Authority, has been accepted.

[No. CEA/Adm.I/64.]

K. P. S. NAIR, Chairman,
Central Electricity Authority.

ORDERS*New Delhi, the 13th April 1964*

S.O. 1474.—In exercise of the power conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of—

- (i) Rule 118(a),
- (ii) Rule 119(1)(a),
- (iii) Rule 50(1)(d), and
- (iv) Rule 123(7)

of the said Rules shall be relaxed in respect of the use of the following apparatus in conjunction with one No. Ingersoll Rand Drill Master, bearing Serial No. 22711:

- One 600 Amps, 4160 Volts Type FA-142-4-16-25, General Electric Co. (USA) Oil Circuit Breaker Serial No. 615543-G4 with over-current protection in keeping with the full load rating of 125 H.P. Main Motor,
- One 125 H.P. 3.3 KV Motor, General Electric Co. (USA) Serial No. VW 8348590,
- One 3KVA 3.3 KV/240 Volts Single Phase General Electric Co. (USA) Transformer type MC Serial No. 169654,
- One 3 KVA 3.3 KV/240 Volts Single Phase, General Electric Co. (USA) Transformer type MC Serial No. 169655,
- One 3 KVA 3.3 KV/240 Volts Single Phase, General Electric Co. (USA) Transformer type MC Serial No. 159656,
- One 3 KVA 3.3 KV/120 Volts Type MC Single Phase General Electric Co. (USA) Transformer Serial No. 169653,
- One length of 300 metres (1000 feet) International General Electric type SH-D portable drilling cable 3 conductor with ground wires, size 6AWG49 strands per conductor, 70 Amperes continuous, 5000 Volts Max. 1.76" OD per G.E. Spect. S1-58239. Each length complete with one couple socket and one couple plug,

at Kiriburu Project of M/S. National Mineral Development Corporation Ltd. to the extent that (1) in relaxation of Rule 118(a) the portable 125 H.P. motor of the Drill Master may be used at 3.3 KV, (2) in relaxation of Rule 119(1)(a), the bank of three single phase 3.3 KV/240 Volts Transformers connected in Delta/Delta and also one 3.3 KV/120 Volts single phase lighting transformer with their associated equipment using energy at high voltage may not be fixed apparatus as being installed on the portable drill moving from place to place, the same have a portable sense, (3) in relaxation of rule 50(1)(d), there being no linked switch for control of 3.3 KV supply to the transformers installed on the drill, the 3.3 KV supply to the same may be controlled by the individually operated link fuses as provided by the manufacturers, (4) in relaxation of Rule 123(7), the flexible cable not exceeding 300 metres in length may be used with the portable machine and that the relaxation shall be subject to the following conditions:

- (1) The 3.3 KV supply to the flexible cable should be provided with earth leakage protection.

- (2) The installations and wirings inside the portable drill shall comply with the relevant provisions of the Indian Electricity Rules, 1956, in particular, Rules 115—117, Rules 121, 124 and 125.
- (3) The flexible trailing cable should be connected to the electric supply system and the drill master by properly constructed connector boxes or totally enclosed safe attachments.
- (4) The Drill machine along with the flexible trailing cable shall be worked and handled with due care so as to avoid danger arising out of any electrical defect or in the use. The insulation resistance of the high voltage circuits including driving motor, shall at no time be less than 10 megohms.
- (5) The operators of the drill master shall be trained and authorised for operating the drill with competency and due care to avoid danger.
- (6) The unarmoured flexible trailing cable supplied by the manufacturers shall be replaced by pliable armoured flexible cable of adequate current carrying capacity at an early date under intimation to the Central Government through the Electrical Inspector of Mines:

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Electrical Inspector of Mines as soon as the machine is taken out of the mine.

[No. EL-II-5(8)/63.]

S.O. 1475.—In exercise of the powers conferred by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of—

- (i) Rule 118(a),
- (ii) Rule 119(1)(a),
- (iii) Rule 50(1)(d), and
- (iv) Rule 123(7)

of the said Rules shall be relaxed in respect of the use of the following apparatus in conjunction with one No. Ingersoll Rand Drill Master, bearing Serial No. 22710.

- One 600 Amps, 4160 Volts Type FK-142-4-16-25, General Electric Co. (USA) Oil Circuit Breaker Serial No. 6155743-G4 with over-current protection in keeping with the full load rating of 125 H.P. Main Motor.
- One 125 H.P. 3.3 KV Motor, General Electric Co. (USA) Serial No. VW8343589.
- One 3KVA 3.3 KV/240 Volts Single Phase, General Electric Co. (USA) Transformer Type MC Serial No. 169657.
- One 3 KVA 3.3 KV/240 Volts Single Phase, General Electric Co. (USA) Transformed Type MC Serial No. 169658
- One 3 KVA 3.3 KV/240 Volts Single Phase, General Electric Co. (USA) Transformer Type MC Serial 169659.
- One 3 KVA 3.3 KV/120 Volts Type MC Single Phase, General Electric Co. (USA) Transformer Serial No. 169652.
- One length of 300 metres (1000 feet) International General Electric type SH-D. Portable drilling cable 3 conductor with ground wires size 6AWG49 strands per conductor, 70 Amps continuous, 5000 Volts Max., 1.76" OD per G.E. Spec. S1-58239. Each length complete with one couple socket and one couple plug.

at Kiriburu Project of M/s. National Mineral Development Corporation Ltd. to the extent that (1) in relaxation of Rule 118(a), the portable 125 H.P. motor of the Drill Master may be used at 3.3 KV, (2) in relaxation of Rule 119(1)(a), the bank of three single phase 3.3 KV/240 Volts Transformers connected in Delta/Delta and also one 3.3 KV/120 Volts single phase lighting transformer with their associated equipment using energy at high voltage may not be fixed apparatus as being installed on the portable drill moving from place to place, the same have a portable sense, (3) in relaxation of rule 50(1)(d), there being no linked switch for control of 3.3 KV supply to the transformers installed on the drill, the 3.3 KV supply to the same may be controlled by the individually operated link fuses as provided by the manufacturers, (4) in relaxation of Rule 123(7), the

flexible cable not exceeding 300 metres in length may be used with the portable machine and that the relaxation shall be subject to the following conditions:—

- (1) The 3.3 supply to the flexible cable should be provided with earth leakage protection.
- (2) The installations and wirings inside the portable drill shall comply with the relevant provisions of the Indian Electricity Rules, 1956, in particular, Rules 115—117, Rules 121, 124 and 125.
- (3) The flexible trailing cable should be connected to the electric supply system and the drill master by properly constructed connector boxes or totally enclosed safe attachments.
- (4) The Drill machine along with the flexible trailing cable shall be worked and handled with due care so as to avoid danger arising out of any electrical defect or in the use. The insulation resistance of the high voltage circuits including driving motor, shall at no time be less than 10 megohms.
- (5) The operators of the drill master shall be trained and authorised for operating the drill with competency and due care to avoid danger.
- (6) The unarmoured flexible trailing cable supplied by the manufacturers shall be replaced by pliable armoured flexible cable of adequate current carrying capacity at an early date under intimation to the Central Government through the Electrical Inspector of Mines:

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Electrical Inspector of Mines as soon as the machine is taken out of the mine.

[No. EL-II-5(8)/63]

V. B. ESWARAN, Dy. Secy.

MINISTRY OF EDUCATION

(Department of Education)

ARCHAEOLOGY

New Delhi, the 2nd April 1964

S.O. 1476.—Whereas by notification of the Government of India in the Ministry of Education No. F.4-33/63-Cl., dated the 24th December, 1963 published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 4th January, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

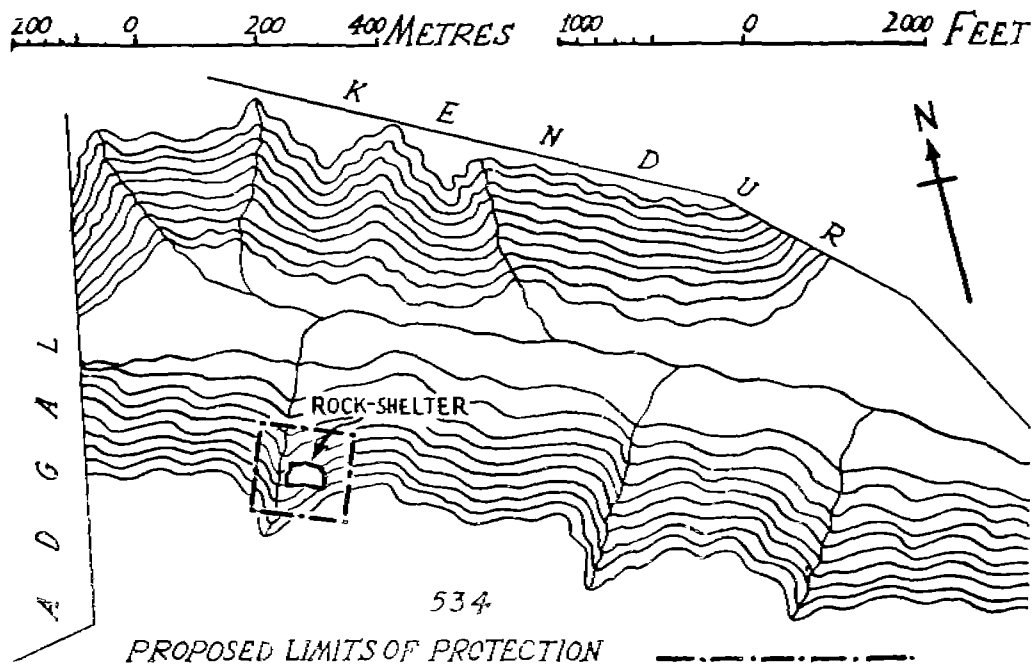
And, whereas, no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1	Mysore	Bijapur	Badami	Badami	Rock-shelter locally known as Sidalephadi together with adjacent land comprised in part of survey plot No. 534.	Part of survey plot No. 534 as shown in the plan given below.	5 Acres and 29 Gunthas.	North:—Remaining portion of survey plot No. 534. East :—Remaining portion of survey plot No. 534. South :—Remaining portion of survey plot No. 534. West :—Remaining portion of survey plot No. 535.	Government	...

SITE PLAN OF ROCK-SHELTER AT BADAMI



[No. F. 4-33/63-C1.]

New Delhi, the 17th April 1964

S.O. 1477.—Whereas by notification of the Government of India in the Ministry of Education No. F.4-39/63-C1, dated the 6th January, 1964, published in Part II Section 3, Sub-section (ii) of the Gazette of India, dated the 11th January, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

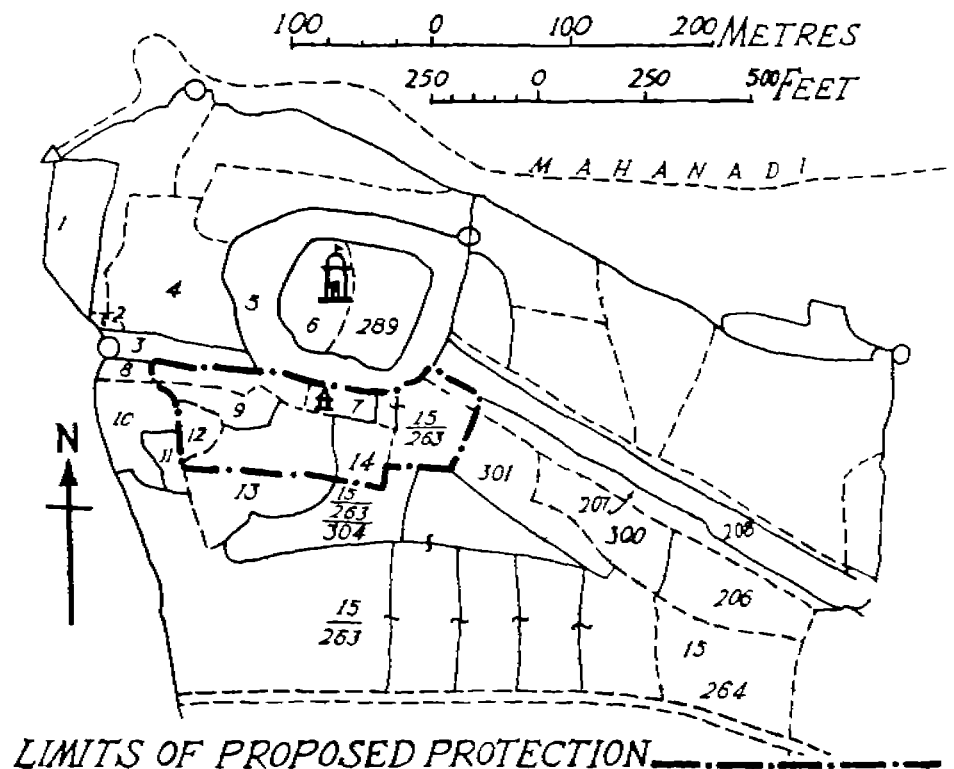
And, whereas, no objection have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of Monument	Revenue Plot Number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1.	Orissa	Cuttack	Banki Sub-Division	Rameswar	Durga temple together with adjacent land comprised in Survey plot Nos. 7, 9, 12, 14 and part of Survey plot Nos. 8, 13, 207 and 15/263	Whole of Survey plot Nos. 7, 9, 12, 14 and part of Survey plot Nos. 8, 13, 207 and 15/263 as shown in the plan reproduced below.	3.45 acres.	<p><i>North</i>:—Survey plot Nos. 5, 3 and 208.</p> <p><i>East</i>:—Survey plot No. 301 and remaining portion of survey plot No. 207.</p> <p><i>South</i>:—Survey plot No. 15/263/304 and remaining portion of survey plot Nos. 15/263 and 13.</p> <p><i>West</i>:—Survey plot Nos. 11, 10 and remaining portion of survey plot No. 8.</p>	Private excepting survey plot Nos. 9, 14 and 207 which are Government property.	Under worship.

SITE PLAN OF DURGA TEMPLE AT RAMESWAR



[No. F. 4-89/63-CL]

S.O. 1478.—Whereas the Central Government is of opinion that the ancient and historical monument specified in the Schedule to this notification has ceased to be of national importance.

Now, therefore, in exercise of the powers conferred by Section 35 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares that the monument aforesaid has ceased to be of national importance for the purpose of the said Act.

SCHEDULE

Serial No.	State	District	Locality	Name of monument	Protection No.	Notification Date
(1)	(2)	(3)	(4)	(5)	(6)	
1	Madhya Pradesh	Nimar East	Nimbola	Col. Fraser's Tomb.	No. 54 dated 12th May, 1914. Government of Central Provinces.	

[No. F. 4-6/64. C. 1.]

S. J. NARSIAN,
Assistant Educational Adviser.

MINISTRY OF WORKS, HOUSING AND REHABILITATION

(Department of W. & H.)

New Delhi, the 22nd April 1964

S.O. 1479.—In exercise of the power conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officer mentioned in column I of the table below, being Gazetted Officer of Government, to be Estate Officer for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on Estate Officer by or under the said Act within the local limits of his respective jurisdiction in respect of the public premises specified in the corresponding entries in column 2 of the said table:—

THE TABLE

Designation of Officers 1	Categories of public premises and local limits of jurisdiction 2
Administrative Officer, All India Institute of Hygiene and Public Health, Calcutta.	<ol style="list-style-type: none"> Plot No. 1 of Calcutta Improvement Trust Scheme No. XLVII with barracks and structures thereon forming a part of the tenements named and styled as "Lake Camp No. IV". Premises No. 17, Baroj Road, Calcutta with barracks and structures thereon forming a part of the tenements named and styled as "Lake Camp No. IV".

[No. 32(6)/64-Acc. II.]

S. L. VASUDEVA, Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 18th April 1964

S.O. 1480.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri R. S. Chauhan as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took over charge of his post.

[No. 8/56/ARZ/64.]

S.O. 1481.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri S. S. Sahni, as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took over charge of his post.

[No. 8/55/Adm. Gaz/64.]

KANWAR BAHADUR,

Settlement Commissioner (A) & *Ex-Officio*

Deputy Secretary.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 18th April 1964

S.O. 1482.—In exercise of the powers conferred on the Chief Settlement Commissioner by section 34(2) of the Displaced Persons (C. & R.) Act, 1954, he hereby delegates to Shri J. M. Tandon, Assistant Settlement Commissioner, Punjab, his powers under Sections 23, 24 and 28 of the said act for the purpose of passing necessary orders under these sections in respect of properties referred to in the notification of the Government of India in the Ministry of Works, Housing and Rehabilitation (Department of Rehabilitation) No. 3(37)/L&R/63-A dated the 5th March, 1964. Shri Tandon will exercise this power so long as he holds the post of Additional Custodian Evacuee Property, Punjab

[No. 3(37)/L&R/63.]

H. R. NAIR,

Chief Settlement Commissioner.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 18th April 1964

S.O. 1483.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act 1954, the Central Government hereby appoints Shri J. M. Tandon, Additional Custodian Evacuee Property, Punjab so long as he holds the post, to be an Assistant Settlement Commissioner in the State of Punjab, for the purpose of performing, in addition to his own duties as Additional Custodian, Punjab, the functions assigned to an Assistant Settlement Commissioner by or under the said Act, in relation to the properties referred to in the notification of the Government of India in the Ministry of Works, Housing & Rehabilitation (Deptt of Rehabilitation) No. 3(37)/L&R/63-A dated the 5th March, 1964.

[No. 3(37)/L&R/63.]

S.O. 1484.—In exercise of the powers conferred by clause (a) of sub-section (2) of section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, the Central Government hereby appoints Tehsildar (Mahal) Kasauli and Kanda-ghat and Naib Tehsildar (Mahal) Simla, to be a Managing Officer for the purpose of performing within their respective jurisdictions the functions assigned to a Managing Officer by or under the said Act in respect of the properties referred to in the notification of the Government of India in the Ministry of Works, Housing

& Rehabilitation (Deptt. of Rehabilitation) No. 3(37)/L&R/63-A dated the 5th March, 1964.

[No. 3(37)/L&R/63.]

S.O. 1485.—In exercise of the powers conferred by Sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 the Central Government hereby appoints every Additional Settlement Officer (Sales) in the Rehabilitation Department of the Government of Punjab as an Assistant Settlement Commissioner in the State of Punjab, for the purpose of performing the functions assigned to an Assistant Settlement Commissioner by or under the said Act, in respect of agricultural lands and shops in any rural area including houses, cattle sheds and vacant sites forming part of the Compensation Pool.

[No. 3(37)/L&R/63.]

ORDER

New Delhi, the 21st April 1964

S.O. 1486.—In the Order issued in pursuance of Rule 11-D(D)(A) of the Evacuee Interest (Separation) Rules, 1951, *vide* Notification No. 5(24)/59-Prop.II Comp. & Prop., dated the 6th February, 1964, for the words and figures "31st March 1964," the words and figures "30th September, 1964," shall be substituted.

[No. 5(24)/59-Prop.II Comp. & Prop.]

M. J. SRIVASTAVA,

Settlement Commissioner & *Ex-Officio*, Under Secy.

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 21st April 1964

S.O. 1487.—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land and Development Officer, Ministry of Works, Housing and Rehabilitation, Government of India, New Delhi for further transfer to *Shri Sanatam Dharam Sabha, Hari Mandir* for construction of a *Primary School Building*.

SCHEDULE

Piece of land measuring 1.35 acres bearing khasra Nos. min. 106/8, 209/14, 107/15 situated in Qadam Sharif Estate.

I min.

The above piece of land is bounded as follows:—

NORTH: Slaughter house.

SOUTH: Service Land.

EAST: Service Land.

WEST: Govt. Land Kh. No. 209/14, 106/8, 107/15

1

min. and old Blood house.

[No. L. 2(27)/63.]

S.O. 1488.—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land and Development Officer, Ministry of Works, Housing and Rehabilitation, Government of India, New Delhi for further transfer to Municipal Corporation of Delhi for the expansion of the D.T.U. Depot.

SCHEDULE

Piece of land measuring 0.945 acres bearing Khasra Nos. 450 min. situated in Indraprastha Estate.

The above piece of land is bounded as follows:—

NORTH: Ganda Nala.

SOUTH: D.T.U. Workshop.

EAST : Ring Road,

WEST : Railway Line.

[No. L. 2(76)/62.]

New Delhi, the 22nd April 1964

S.O. 1489.—In exercise of the powers conferred by section 52 of the Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority hereby directs that the power exercisable by it under clause (1) of sub-section (3) of section 12 of the said Act in respect of applications for permission to carry out building operations on land falling within "development areas" as declared under sub-section (1) of section 12 of the said Act, may also be exercised by the Municipal Corporation of Delhi in such "development areas" as fall within its local jurisdiction, with the exception of the following categories of proposals, namely:—

- (1) housing schemes to be carried out by the Authority;
- (2) all group housing schemes;
- (3) construction of shopping centres, district centres and community centres;
- (4) construction of group industries and flatted factories; and
- (5) any other building project to be taken up by the Delhi Development Authority.

[No. F. 1(31)/63-GA.]

R. K. VAISH, Secy.

MINISTRY OF INFORMATION AND BROADCASTING

ORDERS

New Delhi, the 21st April 1964

S.O. 1490.—In pursuance of the Directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in Marathi to be of the description specified against each in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the applicant	Name of the producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1	Raktaddan Ani Jawan.	261m	Films Officer, Directorate of Publicity, Government of Maharashtra, Bombay-32.		Film intended for educational purposes. (For release in Maharashtra State only).
2	He Suddha Saubhag Aabe.	274m		do.	Film intended for educational purposes. (For release in Maharashtra State only).
3	Hat Jodune Vinti.	295m	Films Officer, Directorate of Publicity, Government of Maharashtra, Bombay-32.		Film intended for educational purposes. (For release in Maharashtra State only).

[No. 24/1/64-F(P) App. 912]

S.O. 1491.—In pursuance of the Directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Section 6 of the Madras Cinemas (Regulation) Act, 1955 (Madras Act No. IX of 1955).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the applicant	Name of the producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary.
1	2	3	4	5	6
1	Power in Madras	535m	Films Division, Government of India, Bombay.	Films Division, Government of India, Bombay.	Documentary film. (For release in Madras State only).

[No. 24/1/64-F(P) App. 913.]

New Delhi, the 22nd April 1964

S.O. 1492.—In pursuance of the Directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against each in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
 (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
 (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the applicant	Name of the producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1	Mahatichitra No. 42.	236 83m	Director of Information, Government of Gujarat, Ahmedabad.		Film dealing with news and current events. (For release in Gujarat State only).
2	Mahatichitra No. 43.	247 10m	Do.		Do.

1	2	3	4	5	6
3	Dharti Ni Bhet.	407.82m	Director of Government of Ahmedabad	Information of Gujarat,	Film intended for educational purposes. (For release in Gujrat State only).

[No. 24/1/64-F(P) App. 911.]

D. R. KHANNA, Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 18th April 1964

S.O. 1493.—In exercise of the powers conferred by section 73B of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1514, dated the 26th June, 1959, namely:—

In the Table annexed to the said notification, against the entry in column 1 relating to Bihar, for the existing entry in column 3, the following entry shall be substituted, namely:—

“State of Bihar (excluding the areas falling within the jurisdiction of the Employees' Insurance Courts).”

[No. F. 1(2)/62-HI.]

S.O. 1494.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1367, dated the 6th May, 1963, namely:—

In the Schedule to the said notification,

(i) against serial No. 1,

the entries, “Pinjore” and “Khadi Ashram”, occurring in columns 3 and 4 respectively, shall be omitted;

(ii) against serial No. 11,

the entries, “Rohtak” and

“1. Bharat Industries

2. Rohtak & Delhi Transport Co.”

occurring in columns 3 and 4 respectively, shall be omitted.

[No. F. 6(79)/63-HI.]

S.O. 1495.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the seasonal nature of the industry carried on in the factory, hereby exempt Shri Mijjimal Gillumal Cotton Ginning and Pressing Factory, Hathras, from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 1st May, 1964.

[No. F. 6(22)/64-HI.]

S.O. 1496.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Labour Court, Lucknow, in respect of the applications filed by Sarvasri Laxmikant, Mahendra Kumar Agarwal and Shiv Raj Saran Agarwal of the State Bank of India, under section 33A of the said Act, which were received by the Central Government on the 14th April, 1964.

BEFORE THE LABOUR COURT (CENTRAL) AT LUCKNOW

The 4th April 1964

PRESENT:

Sri G. C. Agarwala,—Presiding Officer.	
Misc. Case No. 18/63, U/S 33-A of	Laxmikant, Cashier, Shahjahanpur Branch, V/S State Bank of India,
I. D. Act.	
Misc. Case No. 19/63, U/S 33-A of	
I. D. Act.	Sri Mahendra Kumar Agarwal, Cashier, Kashipur Branch V/S State Bank of India.
Misc. Case No. 21/63, U/S 33-A of	
I. D. Act.	Sri Shiv Raj Saran Agarwal, Cashier, V/S State Bank of India.

APPEARANCES:

1. Sri G. K. Ahluwalia, Superintendent, Staff Section, Local Head Office, New Delhi.—*For State Bank of India.*
1. Sri J. N. Kapoor, Representative for Workmen.—*For Workmen.*

AWARD

These are three applications which have been filed under Section 33-A of the Industrial Disputes Act, 1947 by three employees of the State Bank of India. Briefly stated, the facts which culminated in these applications are as follows:—

2. All the three employees, Sarvasri Laxmi Kant, Mahendra Kumar Agarwal and Shiv Raj Saran Agarwal (Applicants in Misc. Case Nos. 18, 19 & 21/63 respectively) were all employed in Shahjahanpur Branch of the Opp. Party as Cashiers or Money Testers on the material dates. Sarvasri Laxmi Kant and Shiv Raj Saran Agarwal are still posted at Shahjahanpur, whereas Sri Mahendra Kumar Agarwal has been transferred to Kashipur.

3. For non-issuable notes, the practice in the State Bank of India was that such notes which were considered non-issuable were sorted out in the evening in presence of Head Cashier. For Ten Rupee note packets of 100 each were made and stitched. A slip bearing the signature of the Counting Cashier and of Re-counter cashier if any more made on these packets. Each slip indicated the denomination and number of notes in the packet. The Head Cashier after examination of the packets got them made into bundles—each bundle having ten packets. These bundles of non-issuable notes were then sent to the strong room, where they remained in the joint charge of the Head Cashier and the Agent.

4. When there was sufficient accumulation of the stock, remittances were made to Reserve Bank. A sum of Rs. 59,89,000/- was despatched on 4-2-60. This remittance was escorted by Sri Laxmi Kant, one of the workmen concerned. The remittance was left at Reserve Bank, Kanpur. The second remittance was made on 2-6-60 of a sum of Rs. 31,91,000/- and this time Sri K. S. Srivastava, Cashier, escorted the remittance. The third remittance was of Rs. 61,52,000/- on 26-11-60 and was accompanied by Sri Shiv Raj Saran Agarwal, one of the concerned workmen. The first two above named cashiers who accompanied the first two remittances returned back after handing over the remittances in the custody of the Reserve Bank of India. The third cashier, Sri Shiv Raj Saran Agarwal, who accompanied the third remittance stayed to supervise the examination of the three remittances. During examination of the packets of the notes of Rs. 10/- by the Currency Officer, Kanpur, which was held on 6-12-60 it was found that in two packets there were shortages of Rs. 140/- and Rs. 120/-. One packet had 14 notes less and the other 12 notes less. The slips on these packets recorded the signatures of Sri Amar Nath as Examiner and Sri Shiv Raj Saran Agarwal as the Re-counter cashier. There was again a shortage of 14 notes i.e., a sum of Rs. 140/- and the slip had the signature of Sri Laxmi Kant, Cashier, and as an Examiner and no signature of any Re-counter. Sri Shiv Raj Saran gave due information to the Bank. On 9-12-60 there was again shortage of Rs. 200/-. The packets bore the signatures of Sri Mahendra Kumar Agarwal. Since the shortages were quite excessive, the State Bank requested the Reserve Bank for return of the packets. The Bank thought that the principal responsibility for correct counting and in making of the packets was of the Cashiers and re-counters who initialled the slips and demanded explanations from these concerned workmen. When the explanations were not found satisfactory, the Bank recovered the loss from the concerned workmen, namely, Rs. 140/- from Sri Laxmi Kant; Rs. 200/- from Sri Mahendra Kumar and Rs. 260/- from Sri Shiv Raj Saran. This was recovered on the basis of an agreement which every

cashier jointly with the Head cashier has to execute with the Bank and to keep a fixed deposit as security in the Bank

5. The Bank also recorded a punishment of warning in the service record of each workman. The warnings entered were more or less similar in language. In the case of Sri Laxmi Kant Agarwal, it was in the following terms:—

"As the explanation submitted by Shri L. K. Agarwal for the shortage in his packets is unsatisfactory and unacceptable, he is warned as from Head Office that he should in his own interest be more careful in the performance of his duties and display a better sense of responsibility. As the shortage is rather heavy the following note in this regard has been made in his service record.

Shortage of Rs. 140/- in packets of ten rupee notes examined by him bearing his slip and signatures were found by the Reserve Bank of India, Kanpur, in the course of their examination. He is therefore warned to be more careful in the performance of his duties and display a better sense of responsibility."

For Sri Mahendra Kumar, the following entry was made:—

"I am advised by Head Office through our Shahjahanpur Branch that the explanation submitted by you for the shortage is unsatisfactory and unacceptable. You are, therefore, warned as from Head Office that you should in your own interest be more careful in the discharge of your duties and display better sense of responsibility. As the shortage is rather heavy a suitable note will also be made in your service record."

the entry in the case of Sri Shiv Raj Saran Agarwal was expressed as follows:—

"Shortage of Rs. 260/- in 2 packets of ten-rupee notes examined by him bearing his slip and signatures were found by the Reserve Bank of India, Kanpur, in the course of their examination. He has, therefore, been warned in the performance of his duties and display a better sense of responsibility."

6. When the representations of all the three concerned workmen went vain, these workmen filed the applications in question U/S 33-A of the Industrial Disputes Act. Their grievance is that they had been punished, in violation of the mandatory provisions contained in para 521(10) of what is known as the modified Shastri award and without any enquiry being held and in violation of all principles of natural justice. It is a common contention of the workmen that there used to be initials of the first and the last notes of the Examiner or Re-counter cashier in every packet and the absence of their signatures on the first and the last notes in the packets concerned in which shortages had been detected are indicative of the fact that they were not the Re-counting cashiers or the cashiers of the packets. For their signatures or initials on these slips affixed on the packets, their suggestion was that old slips which these workmen may have signed on packets of issuable notes may have been substituted by the person who took out the notes from the disputed packets. The applicants denied all factual and legal liability for the shortages. According to their contention the Head Cashier after he receives the packets becomes responsible and they cannot be fastened with any liability when the packets in question remained lying for quite a long time in the strong room of the bank and also when the remittances remained un-examined in the Reserve Bank for a number of months and till they were opened and examined in December, 1960. The Head Cashier had also changed from the time and Sri Pershotam Dass had taken over from Sri Prem Sagar on 24th December, 1959. He had fully checked the cash in the strong room and if there had been any shortage the incoming Head Cashier would not have failed to detect the same. On these facts it was alleged that they had been unjustly held liable by the employers and punished by the adverse warnings entries made in their service records; hence these applications.

7. The Opposite party—State Bank of India (to be here-in-after called the Bank) resisted the applications. It was denied that while making packets the Cashier Examiner or Re-counter used to sign on the first and the last note of every packet. According to the Bank, only a slip, sample of which is Ext. F/1, was affixed or stitched on every packet by the cashier bearing his signature or initial, the date denomination and the number of notes in the packet. He was not required to sign on the first and the last notes of the packet, as contended by the workmen. This is required to be done only in the case of usable packets of new notes. Since there was no reason to suspect that the packets in question where shortages were found had not been examined or re-counted by these workmen concerned and there was

no chance of any pilfering at any subsequent stage and there was reason to suppose that these workmen had been responsible for this mischief, they were, therefore, awarded punishment, but of warnings only. Recoveries made from them was not as punishment but on the basis of written agreement between the parties.

8. Since common question of law and fact were involved in these cases and the applications were the out-come of one of the same transaction the cases were consolidated and Case No. 18/63 was made the leading case. All documentary evidence was received in this case and oral evidence was also examined in this leading case. The workmen summoned a good deal of documents which were filed by the Bank and are Exts. W/1 to W/95. Three witnesses were also examined by them. Two of them are the workmen concerned, namely, Sarvri Laxmi Kant (WW/2) and Mahendra Kumar (WW/3). Sri S. A. Jain (WW/1) is a cashier in the Meerut branch and deposed that even on packets of non-issuable notes cashiers have to sign on the first and the last notes of the packets and this has been the general practice in the Bank. On behalf of the Bank two witnesses were examined, namely, Sri J. N. Mehra (EW/1) who was Agent of State Bank of India from March 59 to October, 1960 and Sri Pershotam Dass (EW/2) the Head Cashier who took over in the middle of December, 59. They both denied that there was any such practice in this branch that first and the last notes of the non-issuable packet were also be signed by the cashier.

9. When the cases were received by transfer from the Labour Court, Delhi, it was considered desirable to hear and decide the preliminary objections raised by the Bank. A preliminary objection was raised that Section 33-A was not applicable as there was no breach of Section 33. The argument was based on the ground that there was no Standing Orders of the Bank for which there could have been any breach. By my order dated 10th June 1963 it was held that the Shastri award (All India Industrial Tribunal Bank Award) as modified by the Labour Appellate Tribunal, clearly provided in Chapter 31, paras 560 and 561 that the award dealing with large groups of subjects under separate heads would appropriately come under "Standing Orders". A copy of my order of that date disposing of this preliminary objection is incorporated as an Annexure to this order. There was, therefore, no substance in the Bank's contention that there were no Standing Orders.

10. In an application under Section 33-A, two things have to be enquired. The first is whether there was any breach of Section 33. That there was such a breach is not disputed on behalf of the Bank. This is because of the pendency of industrial disputes of all the Banks before National Industrial Tribunal (Bank Dispute) Bombay, known as Desai Tribunal. These applications as a matter of fact were filed before the said Tribunal which transferred them to Delhi and from where they have been received by this court. When admittedly there has been a breach of Section 33(2)(b) the controversy is at large before this court if there has been no proper domestic enquiry. Chapter 3, para 521 of Shastri Award provides a comprehensive procedure for domestic enquiries and which admittedly was not observed. That being so, these workmen were punished without a proper domestic enquiry. The issue, therefore, is open for determination and will have to be enquired into by this court.

11. For the recovery of shortages from the applicants, it is clear that these recoveries were based on the basis of agreements which these applicants had entered into with the Bank. The Bank has not made these recoveries by way of punishment, but has done so in exercise of their civil right on the strength of the agreements. There is no provision for recoveries in the Shastri Award, particularly under the heading of 'punishments'. Chapter 21 of the Shastri Award no doubt makes reference about Cash deposits, fidelity bonds, guarantee funds etc., but therein the award has discussed only to what extent these should be required. The provision and procedure for recovery of loss by negligence, dishonesty, fraud or embezzlement have not been specifically stated. Recoveries made on the basis of the agreements are strictly speaking not covered under the category of punishment. Section 33(2)(b) refers only to "Discharge or punishment" whether by dismissal or otherwise. This recovery does not come either as discharge or punishment. That being so, the workmen cannot seek any redress on this score under the provisions of Section 33(2)(b) of the Industrial Disputes Act. I need not record any finding on the question as any such finding on the point may prejudice the parties in exercise of their civil right.

12. Taking up the second question of warning entries recorded in their service records, there can be no gainsaying the fact that the warning entries recorded in their service records were in the nature of punishment. Paragraph 520 of the Shastri Award clearly states that warnings or making of adverse remarks are one of the punishments contemplated on disciplinary action. Para 521(4) enumerates

what are gross misconduct and para 521(6) states what is meant by minor misconducts. Warning is provided as a punishment in para 521(7) for minor misconduct. The suspected fault of the applicants concerned is not covered by any of the categories of minor misconducts stated in sub-heading (a) to (1) under clause 521(6). It can only be referred to sub-clause (j) of para 521(4) as a gross misconduct and which states as follows:—

“Doing any act prejudicial to the interest of the Bank, or gross negligence or negligence involving or likely to involve the Bank in serious loss.”

13. If this clause is applicable and the workmen concerned are proved to have done the act prejudicial to the interest of the Bank or proved to have been negligent thereby involving the Bank in serious loss, they can be punished by disciplinary action. It is open to employers that instead of inflicting a permissible punishment for a major offence they can inflict the lighter punishment treating it as a minor misconduct. But before they do so, the Bank had to undergo the procedure of enquiry for disciplinary action, as stated in paragraph 521(10) of the Shastri Award. Admittedly no such enquiry was held by the Bank and the warning entry was recorded on mere suspicion. This was not open to the Bank. As already stated earlier, they can, however, justify the action by adducing cogent proof that the shortage was due to the negligence of these concerned workmen. No such evidence has been given even before me and by the mere existence of the signatures of these concerned workmen on the slips affixed or stitched on packets which had the shortages, they have been held guilty for negligence. Actually it is not a case of negligence, but a case of misappropriation or embezzlement. One could treat it as negligence only if there had been a shortage in one packet and excess in another. That was not the case here, but shortages in certain packets were found. This meant that somebody had stealthily stolen a few notes from certain packets. In this light also, these workmen cannot be charged for negligence. Simply by the fact that the packets had their initials on the slips of counting or re-counting will not necessarily lead to the inference that they had made the packets short by certain notes. There should have been proof or strong circumstances to indicate that these concerned workmen had themselves pilfered notes while making the packets. In the first place the case of the Bank that only slips were affixed to the packets and the Cashiers and Re-Counters did not use to sign the first and last notes of the packets does not appear to be correct. The Bank in their written statement *cum* rejoinder clearly stated that the practice of signing the first and last notes was not followed invariably. It would be material to reproduce the relevant passage by way of example in the rejoinder filed by the Bank (7-A) in the case of Sri Mahendra Kumar. In paragraph 12 the following passage is pertinent:—

“It is correct that the first and the last notes of the packets did not bear the complainant's signatures, but the respondent states that signing the first and last notes of packets counted was not a practice followed *invariably*, absence of such signatures could not therefore *ipso facto* absolve the complainant of his responsibility for the shortage.”

To the similar effect are averments in the Written Statement/Rejoinder of the Bank in the case of other two applicants. It follows therefore, that the Bank impliedly admitted that the first and the last notes of packets used to be signed by the Cashier or the Re-Counter generally though not invariably. Their stand now that this was not the practice in the Bank cannot be entertained and the evidence on the point cannot be believed being contrary to their own pleadings. The oral evidence of the workmen, therefore, will have to be accepted, namely, that the first and the last notes of the packets used to be signed by the Cashier or the Re-Counter. Admittedly in the packets in question, there were no signatures or initials of these concerned workmen on the first and last notes of the packets. That being so, these workmen cannot necessarily be fastened with the responsibility that they actually made the packets. Apart from this, the packets are examined by the Head Cashier before they are made into bundles and deposited in the Strongroom. There admittedly was a change in the office of the Head Cashier when the cash must have been necessarily checked and verified. The packets were made a long time ago and remained lying in the Strong room for a number of months before they were sent to the Reserve Bank. Even in the Reserve Bank they remained lying for a number of days before the examination of the packets. It is therefore unfair to fasten the liability on these concerned workmen when the remittance passed through various hands and at various stages for a period of about two years since the time they remained lying in the currency chest from 1959. The fact that the slips on the packets, may they be the original or substituted ones, bear the signatures of these workmen may provide a ground for suspicion, but suspicion cannot take place of proof. The Bank had not framed any charge-sheet against these workmen nor conducted any enquiry in the manner provided by the Shastri Award. Only on

mere suspicion by the fact that the packet slips had the signatures or initials of these concerned workmen the Bank was not justified in inflicting the punishment of warnings.

14. I, therefore, hold that the punishment of warning, as recorded in the service records of the three applicants by the Bank, was unwarranted and be expunged.

14. A copy of the Award shall be placed in the record of each case.

(Sd.) G. C. AGARWALA,

Presiding Officer, Labour Court.
(Central), Lucknow.
[No. 55(29)/64-LRIV.]

New Delhi, the 22nd April 1964

S.O. 1497.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the seasonal nature of the industry carried on in the factory, hereby exempts Narbada Valley Refrigerated Products Co. (Private) Ltd., Bhopal, from the payment of the employers' special contribution leviable under Chapter VA of the said Act for the period up to and including the 30th April, 1965.

[No. F. 6(23)/64-HI.]

S.O. 1498.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1883, dated the 1st July, 1963, namely:—

In the Schedule appended to the said notification, against item 17.

3

4

- (i) the entries "Kurnaghat" and "1. Consumers' Engineering Works,
2. Mahabir Steel & Iron Rolling Mills
3. Uttar Pradesh Government Roadways Workshop"

occurring in columns 3 and 4 respectively shall be omitted;

- (ii) the entries "Buxipur" and "Gorakhpur" occurring in column 3 and the corresponding entries "Anand Textiles Industrial Finishing Works" and "1. Popular Engineering & Iron Foundry, 2. Gorakhpur Iron Foundry, 3. National Printing Press".

occurring in column 4 shall be omitted.

[No. F. 6(101)/63-HI.]

S.O. 1499.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2665, dated the 2nd November, 1963, namely:—

In Schedule VI appended to the said notification, under "ALLAHABAD DIVISION", against item 11, the entry 'Gorakhpur' in column 3, the entries "Buxipur", "Gorakhpur" and "Kurnaghat" occurring in column 4 and the corresponding entries "Jhansi Electric Supply Co.", "1. Burmah Shell Depot., 2. U.P. Govt. Roadways, 3. Central Printing Press, 4. Hydro Electric Power House" and "New Power Station."

occurring in column 5 shall be omitted.

[No. F. HI-6(141)/59.]

S.O. 1500.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2665, dated the 2nd November, 1961, namely:—

In Schedule III to the said notification,

- (i) against Serial No. 6, the entries "Macherla" and "The K.C.P. Ltd. (Ramakrishna Cements), Macherla",

occurring in columns 4 and 5 respectively shall be omitted.

(ii) against Serial No. 11, the entries "Panyam" and "Panyam Cement & Mineral Industries, Panyam", occurring in columns 4 and 5 respectively shall be omitted.

[No. F. HI-6(141)/59.]

S.O. 1501.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between Messrs. P. T. Anklesaria and Company, Bombay and their workmen represented by the Transport and Dock Workers' Union.

In the Matter of Disputes

BETWEEN

Messrs. P. T. Anklesaria & Company

AND

Their Workmen Represented by the Transport and Dock Workers' Union

BEFORE

Shri S. C. Sheth, Sole Arbitrator.

In pursuance to an Agreement of the parties published in the Gazette of India under Section 19(a) of the Industrial Disputes Act by an Order of the Government of India in the Ministry of Labour and Employment Notification No. S.O. 2918, dated 7th October, 1963.

APPEARANCES

1. *For the Employers*—Mr. P. T. Anklesaria & Mr. Sayani.
2. *For Workmen*—Mr. M. G. Kotwal & Mr. Pandit.

AWARD

1. By an Agreement between Messrs. P. T. Anklesaria & Co., on the one hand and their workmen employed as Special Men, represented by the Transport and Dock Workers' Union, certain disputes were referred to me as Sole Arbitrator. The Agreement has been published by the Government of India in the Ministry of Labour and Employment under Section 10(a) of the Industrial Disputes Act in the Gazette of India, under Order No. S.O. 2918 of 7th October, 1963.

2. The matter under dispute was as follows:

Whether the termination of services of Sarvashri (1) A. Muthuswami, (2) Allauddin, (3) Abdulla and (4) Sowri Kasi, Specialmen by M/s. P.T. Anklesaria and Co., is justified. If not, to what relief these workmen are entitled to including reinstatement.

3. After the parties had filed their written statements, the dispute was taken up for hearing on 12th November, 1963. After about seven hearings the parties requested for an adjournment to explore the chances of a settlement. The hearing was, therefore, adjourned on 24th February, 1964. The parties have now recorded the following terms of settlement and prayed that an award be made in terms thereof.

It is hereby agreed between the parties that:

1. Shri A. Muthuswami
2. Shri Allaudin
3. Shri Abdulla
4. Shri Sowri Kasi

1. Will be re-instated in service by the Company on and from 16th January 1964 at the rate of Rs 200 (Rupees Two Hundred Only) per month. This will be the consolidated rate of pay. The above rate of pay will include any rate of payment for work in any of the shifts, Sundays and/or Holidays and the workmen will not be entitled to any other payment such as overtime etc

2. The workmen will work in rotation in shifts i.e. in the day shift and night shift (which will constitute the IInd and IIInd shifts in the Docks) and will follow the same procedure as is now being adhered to by labour which comes in the beginning of the IInd shift and leaves at the end of IIInd shift.

3. It is further agreed between the parties that these four workmen will be paid their wages from the 1st January to 15th January 1964 (though not having worked for this period) in full and final settlement of all their claims and back wages and it is further agreed that no other claims in respect of any other special men will now be raised in this respect.

4. It is further agreed between the parties that save and except what is being agreed as above, there are no other claims on the Company by the workmen and that this Agreement will finally settle all disputes raised by the Union against the Company before the Arbitrator.

5. It is further agreed that these Specialmen will work according to the Company's directions and shall carry out their duties faithfully and to the best of their ability.

6. No cost may be awarded to either party.

7. The parties therefore, pray and request the Hon. Arbitrator that the terms of settlement be recorded and an Award passed accordingly.

As I am satisfied that in the facts and circumstances of this case the terms of settlement are fair and reasonable, I accept the same and make an Award in terms thereof as desired by the parties.

(Sd.) S. C. SHETH,

Sole Arbitrator.

[No. 28/69/63/LR. IV.]

S.O. 1502.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the United Commercial Bank Limited and their workmen which was received by the Central Government on the 17th April, 1964.

**BEFORE SHRI K. L. GOSAIN, PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, CHANDIGARH**

Reference No. 8/C of 1963

BETWEEN

The employers in relation to the United Commercial Bank Limited and their workmen
PRESENTS:

Bakshi P. R. Bhatia *for the workmen.*

Shri K. M. Bagga, Manager of the United Commercial Bank Limited.

AWARD

An industrial dispute having come into existence between the employers in relation to the United Commercial Bank Limited and their workmen, the Central Government (Labour Department) passed necessary orders under Section 7-A read with clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, and referred the said dispute for adjudication to this Tribunal, *vide* Order of the Central Government No. 51(55)/63-LR/IV, dated the 28th November, 1963. The only two items mentioned in the reference are as under:—

1. Whether in view of the provisions contained in paragraph 529 of the Sastry Award Shri Moti Sagar Katyal, Assistant Cashier, was considered for the appointment to the post of Chief Cashier made by the management of the United Commercial Bank Limited, by direct recruitment, whereby Shri Joginder Singh Sanghera was appointed?

2. If not, to what relief is Shri Moti Sagar Katyal entitled?

Usual notices were issued to the parties and in response to the same the workmen filed their detailed statement of claim and the management filed their written statement to the same. The pleadings of the parties gave rise to two issues only

which are precisely the same as the two items of dispute mentioned above. The said issues were framed on 15th January, 1964 and the parties were called upon to lead their evidence for and against the same. After the conclusion of their evidence their representatives also addressed their arguments to me.

The facts giving rise to this reference briefly are as under:

One Shri Des Raj Katyal was the Chief Cashier of the Jullundur Branch of the United Commercial Bank Limited. His two sons were appointed by the Bank as Assistant cashiers, the elder of them being Shri Moti Sagar Katyal. On 26th November, 1962 Shri Des Raj died and the job of the Chief Cashier therefore fell vacant. Shri Moti Sagar, who had often worked as Chief Cashier in the leave vacancies of his father Shri Des Raj was appointed to officiate in the said vacancy till as long as a permanent incumbent of the post was appointed. On 3rd December, 1962 the Manager of the branch made a recommendation to the head office that Shri Moti Sagar be designated as Chief Cashier and a new Assistant Cashier be appointed in his place. In the mean time on November 30, 1962, however, Shri L. R. Suneja, Regional Manager of the Bank had by his letter Ext. R. 8 written to the General Manager as under:—

"In their letter No. 323, dated 26th November, 1962 our Jullundur Branch has informed you of the death of their Chief Cashier, Shri Des Raj Katyal, which seems to be a case of heart attack.

Since the two Assistant Cashiers employed in the Cash Department at Jullundur Branch are the sons of the Chief Cashier, the entire Cash Department staff had to be absent from the office because of the death of Shri Des Raj Katyal. The charge of the department was held by an employee not connected with the Cash Department. The same situation can arise in the case of a marriage if the members of the cash department staff are closely related to each other. It is for this reason that I have always favoured the idea of employing Assistant Cashiers, who are not related to the Chief Cashier. This can also prevent any bungling in the Cash Department. In the case of over-ages found in cash there is the possibility of excess cash being concealed and not being brought to the knowledge of the Manager or any other officer. I am of the opinion that Head Office should lay a rule that Assistant Cashiers must not be related to the Chief Cashier and Managers must make themselves sure about it before making appointments of the Assistant Cashiers."

On 4th December, 1962 Shri V. R. Desai, Chief Accountant of the Bank wrote a letter to the Manager United Commercial Bank Limited Jullundur copy of which is Ext. R. 9 on the present record. A copy of this letter was also sent to Shri L. R. Suneja, Regional Manager with an endorsement reading as:—

"Copy forwarded to L. R. Suneja Esqr. Regional Manager. C/o United Commercial Bank Ltd. South Patel Nagar, New Delhi, with reference to his letter of the 30th ultimo. We shall be glad to know if you have any suggestions regarding filling up the post of Chief Cashier of Jullundur Branch. The two Asstt. Cashiers now attached to that Branch are, as you know, real brothers, being the sons of Mr. Des Raj Katyal, deceased. The elder of the two is reported to be having a deformity in one of his legs. Both have been working with us since September, 1957.

It appears that the head office did not agree with the recommendations of the Manager of the branch for appointment of Shri Moti Sagar Katyal as the Chief Cashier. By his letter Ext. R-4 Shri L. R. Suneja, Regional Manager wrote to the General Manager of the Bank that the Deputy General Manager had approved the appointment of Shri Sanghera and he was, therefore, sending a letter of appointment to Jullundur for delivery to Mr. Sanghera. A copy of the letter which was sent to Mr. Sanghera is Ext. R-9, R-5. By means of letter Ext. R.6, dated 8th May, 1963 Shri Moti Sagar was informed that Mr. Joginder Singh Sanghera had been appointed as Chief Cashier of the Bank and that he should hand over the charge to him. Mr. Moti Sagar then made some representation to the higher authorities which was turned down and information regarding the rejection of which was conveyed to Mr. Moti Sagar by Ext. R7. Feeling dis-satisfied with the action of the Bank Mr. Moti Sagar seems to have approached the Bank Employees Federation at whose instance the present reference has been made. The only point that really falls for decision in the present case is: Whether compliance has been made by the Bank with paragraph 529 of the Sastry Award. In this paragraph it is made clear by the All India Industrial Tribunal (Banks Dispute) that no hard and fast rule can be laid down in connection with promotions. The Tribunal did not

favour the idea that length of service was necessarily the sole or main deciding factor. The workmen rely on the following portion of this paragraph:

"We however direct that even when direct recruitment to particular posts is decided on, deserving men already in service who come up to the required educational qualifications should also be enabled to compete for such recruitment by a reasonable relaxation of the rules relating to age and other restrictions, if any."

The contention of the workmen is that the present was a case of direct recruitment and it was necessary for the Bank to permit the deserving men already in service to compete for the appointment. They urge that Shri Moti Sagar was a deserving man in as much as the Manager had made a recommendation for his appointment, but all the same he was not allowed to compete. The case of the Bank on the other hand is that the head office did not find him deserving man and he was therefore not allowed to compete.

There can be no doubt that the Manager of the Bank made a recommendation for his appointment as per letter Ext. R. 10. There is also no doubt that the head office did not agree with the said recommendation. It may be that the views of Mr. L. R. Suneja, Regional Manager, as given in his letter Ext. R.8 prevailed with the head office or it may be that the head office did not appoint Shri Moti Sagar because they found him to be unfit for the job after considering his educational and other qualifications. The fact, however, remains that the head office of the Bank did not consider him a deserving hand and preferred to appoint Shri Joginder Singh Sanghera as the Chief Cashier. There is no allegation made by the workmen that the head office of the Bank was in any way influenced by any extraneous considerations or that the action of the head office was mala fide or dishonest in any manner. Taking the entire evidence into consideration I have no doubt that the case of Shri Moti Sagar Katyal was considered by the head office but they did not feel that he deserved to be appointed as a head cashier. It may be that they considered that a head cashier should atleast be a graduate and they appointed Shri Joginder Singh Sanghera who was a graduate in preference to Shri Moti Sagar who was only a matriculate, or it may be that they did not wish to have two real brothers one as Chief Cashier and the other as an Assistant Cashier. After giving my careful consideration to the matter I have no doubt that the provisions of paragraph 529 of the Sastry Award were given effect to and the appointment of Shri Joginder Singh Sanghera in the circumstances can not be successfully impugned. The case of Shri Moti Sagar was definitely considered and it is difficult to hold otherwise specially in view of Ext. R.10 which is a recommendation of the Manager in his favour. I, therefore decide Issue No. 1 against the workmen and in favour of the Bank.

Issue No. 2—

Issue No. 2 in the circumstances does not arise for decision.

In the result the demand of the workmen is dismissed. No order as to costs.

(Sd.) K. L. GOSAIN,

The 10th April, 1964.

Industrial Tribunal, Chandigarh.

[No. 51(55)/63-LRIV.]

New Delhi, the 24th April 1964

S.O. 1503.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Guntur in the industrial dispute between the employers in relation to the Indian Bank Limited and their workmen which was received by the Central Government on the 15th April, 1964.

BEFORE THE PRESIDING OFFICER, CENTRAL LABOUR COURT, GUNTUR.

PRESENT:

Sri D. Subba Rao, B.A. B.L.—*Presiding Officer.*

CASE No. I.D. 3/1964, (I.D. 4 of 1962).

BETWEEN:

Sri N. L. Kanta Rao, Represented by the Indian Bank Employees Union.—*Petitioner.*

AND

The Secretary, Indian Bank Limited, Madras-1.—*Respondent.*

APPEARANCES:

Sri B. Radhakrishnamurty, Advocate, Guntur, and President of the A. P. Indian Bank Employees Union *on behalf of the workman.*

AND

Sri H. Ramanathan, Indian Bank, Madras, *on behalf of the Management.*

AWARD

1. The dispute between Sri N. L. Kantha Rao, Shroff of Anakapally branch of the Indian Bank Limited, represented by the Indian Bank Employees Union and the management of the Indian Bank Limited, Madras, has been transferred to the Labour Court Guntur by notification dated 21st December, 1961, by the Government of India, Ministry of Labour and Employment for adjudication on the following questions:—

(a) Whether the Management of the Indian Bank Limited, Madras was justified in discharging Sri N. L. Kantharao Shroff of Anakapally Branch of the Indian Bank Ltd., from the service of the Bank with effect from 18th January, 1960.

(b) If not to what relief he is entitled.

2. The findings of my learned predecessor have been quashed by the Andhra Pradesh High Court in Writ Petition No. 473, of 62, and the case has been remanded to this Court for fresh disposal according to law in the light of the observations contained in the judgment of the High Court. Thereafter as per notification dated 10th January, 1964, the Labour Court Guntur has been constituted as Central Labour Court with myself as the Presiding Officer, and the matter has been referred to the same for adjudication.

3. A domestic enquiry has been conducted against Sri N. L. Kantha Rao into the five charges framed by the Agent against him on 19th June, 1959. They are as follows:—

1. You are almost daily wanting to close and put the cash in the safe even before 3 P.M. though I have wanted you to wait.
2. The despatch work given to you was not properly attended to.
3. On 11th May, 1959, you misbehaved and began to rebuke not only the Agent, Accountant and even the Doctor in the presence of customers.
4. You refused to open the safe till 10-30 A.M. on 11th May, 1959, even though the Agent asked you a number of times to do so. Only on intervention of some of the constituents you opened the safe on condition that the Agent should recall the godown keeper to relieve you to avail leave.
5. There were shortages of cash handled by you on many occasions on 13th March, 1959, 22nd April, 1959, and 9th May, 1959, none of which has been satisfactorily explained.

All these charges have been denied by the delinquent Sri Kanta Rao, in his explanation dated 6th July, 1959, marked as Ex B.7. Regarding the 1st charge his explanation is that the bank should not enter into cash transactions after 2 P.M. every day and that he is therefore justified in closing the cash by 3 P.M. Regarding the 2nd charge his explanation is that the mistakes if any in the despatch work were due to strain of work and that he may be excused. Regarding the 3rd charge his explanation is that he did not rebuke any body and that the Agent was not justified in refusing him casual leave on 11th May, 1959. Regarding the 4th charge his explanation is that he could not open the cash because he had applied for casual leave to enable him to go to Vizag for medical consultation and that the responsibility was that of the agent. Regarding the 5th charge his explanation is that such shortages are not uncommon in banks, and that it would be very difficult to explain such shortages. His further contention is that the enquiry officer was prejudiced that the enquiry was not conducted in a fair and proper manner, that the enquiry officer had taken into consideration evidence extraneous to the charges, that his findings were perverse and that he was not given an opportunity to cross examine the witnesses. He also contends that the management is not entitled to pass the discharge orders without calling for his further explanation and that the punishment of discharge was very severe and out of proportion to the charges brought against him.

4. In an enquiry of this sort the Industrial Court should bear in mind that it is not sitting as an appellate court. It can only interfere if the enquiry was in any way vitiated, unfair and the findings are perverse. It has only to see whether

there was a *prima facie* case, based on the evidence let in before the enquiry officer. It must also satisfy its conscience whether there was want of good faith, unfair labour practice and victimisation in the guise of the domestic enquiry. The Industrial Court can also interfere if the management has been guilty of basic error or violation of principles of natural justice. It was in view of these fundamental principles that the Honourable High Court was pleased to make the following observations in the remand order.

"The Labour Court would be justified in characterising the finding recorded in the domestic enquiry as perverse only if it is shown that such finding is not supported by any evidence or is entirely opposed to the whole body of evidence adduced before it. It must also be remembered that in deciding the question as to whether a particular conclusion of fact is perverse or not the Labour Court is not justified in weighing and appreciating the evidence and determining the question of perversity of the domestic enquiry Officer's view in the light of its own findings on the questions of fact. In this case what the Labour Court has done is that it has reached its own conclusion on the merits of the case after examining the circumstantial and other evidence in the first instance and then addressed itself to the question as to whether the contrary view taken by the enquiry officer was perverse or not."

5. The decision reported in 1958-I-LL.J. p. 260 between Indian Iron and Steel Company, Limited and their workmen is the most leading decision on the subject. In 1963-I-LL.J. p. 734 it has been held that what the Labour Court has to see in such matters is whether the action of the management was *bona fide* and whether the material on the basis of which the management came to a conclusion could not justify any reasonable person in coming to such a conclusion. In 1963-2-LL.J. p. 78 it has been held that when it is shown that the employer has held a proper enquiry the Tribunal would not be entitled to consider the propriety or the correctness of the conclusions reached by the enquiry officer.

6. Bearing in mind the principles of law enunciated in the above decision and the observations of the High Court contained in the remand order I will now proceed to deal with the merits of the case. My endeavour is only to see whether the conclusions reached by the enquiry officer are reasonable and whether there is enough material in the evidence placed before the enquiry officer, to sustain his findings. If not I can straight away find that the findings are perverse. We have also got to see whether the findings were arrived at in good faith and whether there was any basic error opposed to principles of natural justice. I have also got to see whether there was any victimisation or unfair labour practice as contended on behalf of the workman.

7. Charge one.—In ex. B7 (explanation) Sri Kanta Rao admits impliedly that he was anxious to close the cash by 3 P.M. and contends that such a desire on his part does not constitute an offence. As the business hours of a bank are from 10 a.m. to 2 p.m. Sri Kanta Rao thinks that he must close the cash immediately he being the shroff. The fixation of business hours is a matter between the Agent representing the Bank and the constituents. It has nothing to do with the workmen in a Bank. The workmen are only concerned with their own working hours. If they are made to work beyond the hours of work fixed, they are entitled to claim overtime wages. As a matter of fact there is a provision to pay the workmen overtime wages. Sri Kanta Rao was admittedly paid overtime wages on several occasions. The shroff or any employee of the Bank cannot insist and dictate to the Agent that cash should be closed after this limit of 2 p.m. If the agent so desires the shroff is bound to receive or pay cash even after 2 p.m. If the Agent does not close the cash at 2 p.m. it is his responsibility. This is not a matter which can be questioned by the employees of the Bank.

It will be sheer insubordination if the cashier or shroff refuses to pay or receive cash even after 2 p.m. as per the directions of the Agent. If the agent so desires the transactions have to be entered into even after 2 p.m. This stand of the workman clearly reveals that he was insisting on the cash being closed by 3 p.m. The charge is no doubt vague but the workman has indirectly and impliedly admitted the charge. The vagueness of the charge is not a factor which invalidates or vitiates the charge as it has been impliedly admitted by the workman. The enquiry officer was quite justified in arriving at the finding reached by him. The workman is clearly guilty of insubordination and indiscipline. He had no business to insist on the Agent closing the cash by 3 p.m.

8. Charge No. 2.—The finding of the enquiry officer is that it is too trivial. Hence it has been ignored.

9. Charges 3 and 4.—It appears that on 9th May 1959 Sri Kanta Rao had asked for casual leave and that it was refused. On that day Sri Kanta Rao admits

that there was a cash shortage of Rs. 130/- and that it has been made good by him. On 11th May 1959 Sri Kanta Rao had applied for Casual leave. From the evidence I understand that this Casual leave application has been handed over by him to the Agent at about 10-30 a.m. We should bear in mind the fact that the Bank has to transact business from 10-00 a.m. onwards. This means that the clerks of the Bank should be at their seats before 10-00 a.m. and the safe should be opened by that time so that the cash required for the day's transactions could be handed over to the concerned clerks before 10 a.m., after making necessary entries in the relevant registers. This Casual leave application of Kanta Rao reads as follows:—

"To

The Agent,
The Indian Bank,
Anakapally.

Respected Sir,

As I have to go Vizagapatam very urgently I request your goodself to kindly grant me Casual Leave for today the 11th May, 1959. (10-5-59 has been corrected to 11-5-59).

Yours obediently,

(L. N. K. Rao) d/- 11-5-59."

(10-5-59 has been corrected to 11-5-59).

This application has been marked Ex. 3.A. in the domestic enquiry. No body can ask for casual leave as of right. He cannot also avail of it without previous sanction. This will be more so in the case of a Bank especially when it is asked for by the shroff. Somebody else has to be placed in charge of cash and everybody cannot be placed in that charge. This is because the shroff is incharge of the cash of the Bank which is a serious responsibility. So the shroff cannot enter the Agent's room as and when he pleases and especially at 10-30 a.m. and ask for casual leave without specifying the reasons for asking for c.l. His presenting the casual leave application to the Agent at 10-30 a.m. obviously discloses that the normal work of the Bank was at a stand still from 10 a.m. to 10-30 a.m. Admittedly there was a scene that day in the bank premises from which the constituents present could not have had a high opinion of the Bank and its management. It was after the Agent's refusal of Casual leave that Sri Kanta Rao came forward with the case that he had to go to Vizag for medical consultation. Then the Agent wanted him to bring a certificate from the Medical Officer of the Bank. It is in evidence that this Medical Officer of the bank was living opposite the bank premises. Sri Kanta Rao insisted that he would get the certificate from his own doctor to which the Agent did not agree. Thereupon there was some unsavoury discussion between the agent and the shroff in the presence of some of the constituents who could not be catered because the shroff did not condescend to open the safe even at 10-30 a.m. This situation was admittedly an "ugly scene in the presence of customers", vide the appeal memo of Sri Kanta Rao in which he states as follows:—

"He could have called me and disposed of the leave application as per the provisions of the Award and thus avoided the *"Ugly scene in the presence of customers"*. Rather the Agent's refusal to accept the keys kept the customers waiting."

Sri K. Suryaprakasa Rao one of the witnesses examined during the enquiry deposes as follows:— (It was recorded in the 3rd person)

"Mr. Suryaprakasa Rao came to the Bank as early as at 9-30 a.m. ... about 9-55 a.m. Mr. Kanta Rao came to the Bank with a leave application. The agent it appears requested Mr. Kanta Rao to work in the cash till such time as he sent word to Mr. Krishna Mohan Rao. and as he (Mr. Kanta Rao) was incharge of cash and could not delay he requested him to work. Mr. Kanta Rao it appears said that if he brought a certificate from a doctor by himself then the Bank may think that he had obtained it by paying the doctor some money. To this statement the Agent strongly objected saying that the doctor was an honourable and respectable person ... It was 10-20 a.m. and Mr. Prakash Rao asked Mr. K. Rao not to delay to open cash as he was in urgent need of cash and that he (Kanta Rao) could settle his affairs with the Agent. It is only after this that Mr. Kanta Rao opened the cash."

This admitted "ugly scene in the presence of the customers," should have been avoided and Sri Kanta Rao had absolutely no justification for not opening

the cash till 10-30 a.m. in disregard of the directions of the Agent. Rightly or wrongly the Agent had refused the casual leave. After that Kanta Rao had no business to enter into a discussion with the Agent on that subject and pass derogatory remarks against the doctor of the Bank. A customer had to intervene to induce the shroff to open the cash safe. It was not opened till then in spite of the directions of the Agent. Under such circumstances it is impossible to believe that the customers could have had any good opinion about either the Bank or the Agent or the shroff. Such "Ugly scenes" will also effect not only the prestige of the Bank but also the business of the Bank. If Shri Kanta Rao had been affected by any sickness I am sure he would not have failed to mention that fact in the casual leave letter. The sickness came in handy only after the Agent refused to grant the casual leave. If the agent was at fault in refusing the casual leave, Sri Kanta Rao could have reported to the higher authorities against him instead of creating a scene and refusing to open the safe. Therefore this a clear act of insubordination and indiscipline. The shroff had no business under whatever circumstance it may be, especially after he was present in the Bank, to fail to open the cash safe by 10 a.m. He had thus prevented the Bank serving its customers from 10 A.M. to 10-30 a.m. This conduct of the shroff is unpardonable. Therefore the enquiry officer was quite justified in recording adverse findings on these two charges against Sri Kanta Rao.

10. Regarding charge No. 5 Sri Kanta Rao states in his explanation Ex. B. 7; "There might be some discrepancies in handling cash as a consequence of which shortages might have taken place which may not be sufficiently explained."

The non-framing of charges for these shortages on the dates in question is no answer to the accusation that the shroff was negligent. Therefore in view of the admission of the shroff the enquiry officer was quite justified in arriving at the conclusion he had arrived. The shroff admits that there was a shortage of Rs. 130/- on 9th May 1959.

11. The management have cancelled the order of discharge as per letter dated 1st December 1959 (*vide* Ex. B. 4) and as per letter dated 10th December 1959 have called for the explanation of Sri Kanta Rao to show cause why the proposed punishment should not be imposed (Ex. B. 3). To this Sri Kanta Rao gave the telegram; "Refer letter fifteenth. Treat appeal as my explanation when the management insisted that this should be put into writing." Sri Kanta Rao gave another telegram (Ex. B. 5) asking for a fortnight time. But as no further explanation was received the management have concluded that he had no further explanation to offer (Ex. B. 4). In view of the above facts and circumstances I am unable to agree with Sri Radhakrishnamurthy who had represented Sri Kanta Rao that the management did not allow Sri Kanta Rao to submit his further explanation.

12. The proceedings before the enquiry officer show that Sri Y. Seeta Ramayya an office bearer of the union had represented Sri Kanta Rao during the domestic enquiry. Therefore I am unable to accept the contention that Sri Kanta Rao was not given an opportunity to cross examine the witnesses during the enquiry.

13. It may be that the then Agent Sri Y. L. Narayana and Sri Kanta Rao were not seeing eye to eye. The "Ugly scene" could have been avoided had the Agent been more tactful or Sri Kanta Rao been less pigheaded. The enquiry was conducted by Sri Raghunatha Rao. Nothing has been shown as to how he was prejudiced against Sri Kanta Rao. It is true that some extraneous matters like Sri Kanta Rao being a bachelor, his being involved in debts and so on have been allowed to be imported into the enquiry, but this fact will not show that either the enquiry officer was prejudiced or that his findings have been based on such extraneous matters. Hence I am unable to accept the contention of Sri Radhakrishnamurthy that there was any unfair labour practice or victimisation. Broadly speaking the enquiry was quite fair and was conducted in good faith. The record does not warrant the contention that there was any basic error or violation of principles of natural justice. On the other hand there are enough admissions of Sri Kanta Rao (Ex. B. 7) on which alone the enquiry officer could have come to the conclusions arrived at by him and no reasonable person could have come to different conclusions.

14. Charges 1, 3 and 4 are very serious, charges which deal with gross insubordination and disciplinary conduct of Sri Kanta Rao which affect the prestige as well as the business of the Bank. When Mr. Kanta Rao has been found guilty under the same there is no question of awarding him a lenient punishment. An employee found guilty under such charges deserves nothing short of discharge or dismissal. That apart the Industrial Court cannot substitute its

own sentence for the sentence awarded in the domestic enquiry. In either view of the matter I am unable to interfere with the punishment.

15. Hence, I see no reason to interfere with the findings of the domestic enquiry. Hence I sustain the same and find that the management was justified in discharging Sri Kanta Rao from service and that Sri Kanta Rao is not entitled to any relief.

Given under my hand and seal of the Court this 11th day of April 1964.
Guntur, the 11th April 1964.

(Sd.) D. SUBBA RAO,
Presiding Officer,
Central Govt. Labour Court.

APPENDIX OF EVIDENCE

Witness Examined

By the workman:—

W.W. 1 Sri N. L. Kantha Rao

By the Management:—

Nil.

List of Documents

For the workman:—

- Ex. A1/17-5-1957—Application of Sri N. L. Kantha Rao sent to the management requesting for transfer.
- Ex. A2/4-7-1957—Memo issued by the Management to Sri N. L. Kantha Rao.
- Ex. A3/24-7-1957—Letter sent by Agent, Kammammet Branch to the Management.
- Ex. A4/3-8-1957—Memo issued by the Agent, Kammammet Branch to Sri N. L. Kantha Rao.
- Ex. A5/8-8-1957—Memo issued by the Agent, Kammammet Branch to Sri N. L. Kantha Rao.
- Ex. A6/8-8-1957—Reply sent by Sri N. L. Kantha Rao to Ex. A4.
- Ex. A7/9-8-1957—Acknowledgement sent by the Agent in receipt of Ex. A6.
- Ex. A8/31-10-1957—Memo issued to Sri N. L. Kantha Rao by the Agent, Anakapalli Branch.
- Ex. A9/4-11-1957—Reply given by Sri N. L. Kantha Rao to Ex. A8.
- Ex. A-10—Telegram receipt dated 31-10-1957.
- Ex. A11—Certificate of posting.
- Ex. 12/12-11-57—Copy of the letter sent by Sri N. L. Kantha Rao to the Management.
- Ex. A13/27-6-58—Relief Order issued by the Agent Anakapalli Branch to Sri N. L. Kantha Rao.
- Ex. A14/29-7-58—Letter sent by Management to Sri N. L. Kantha Rao.
- Ex. A15—Register of over-time work done by Sri Kantha Rao.
- Ex. A16—Conciliation report on 17-1-61 of the conciliation Officer (Central) Visakhapatnam.
- Ex. A17/25-1-61—Conciliation report on 17-1-61 of the Conciliation Officer (Central) Visakhapatnam.
- Ex. A18/23-12-59—Copy of letter sent by Sri N. L. Kantha Rao to the Management.
- Ex. A19/24-12-59—Reply sent by the management to Sri N. L. Kantha Rao against his appeal.
- Ex. A20/18-1-60—Memo issued by the Management to Sri N. L. Kantha Rao.
- Ex. A21/7-6-60—Letter sent by the Management to Sri N. L. Kantha Rao.

For Management:—

Ex. B-1—Employment Register of Anakapalli Branch.

Ex. B-2 30-11-59—Copy of letter sent by the Management to the conciliation Officer.

Ex. B-3 1-12-59—Copy of letter sent by Management to Sri N. K. Kanta Rao.

Ex. B-4 19-12-59—Copy of letter sent by Management to Sri N. K. Kanta Rao.

Ex. B-5—Telegram issued by Sri N. L. Kanta Rao to the Management.

Ex. B-6 29-12-59—Letter sent by Sri N. L. Kanta Rao to the Management.

Ex. B-7 6-7-59—Letter sent by Sri N. L. Kanta Rao to the Management.

N.B.—The above documents have been marked by my predecessor and the same marking is being followed by me.

(Sd.) D. SUBBA RAO,

Presiding Officer.

[No. 55(64)/63-LRIV.]

S.O. 1504.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen which was received by the Central Government on the 17th April, 1964.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT LUCKNOW

PRESENT:

Sri J. K. Tandon,—Presiding Officer

ADJ. CASE No. 6 (CENTRAL) 1963.

Misc. CASE No. 19 .

In the matter of an industrial dispute between M/s. Punjab National Bank Ltd., Head Office New Delhi.

Vs.

Their Workmen.

APPEARANCES:

For the employers: 1. Sri O. P. Gupta, Staff Manager of the Bank.

For the workmen: 1. Sri R. L. Khandelwal, General Secretary, Rajasthan Bank Employees' Union, Jaipur.

2. Sri P. L. Syal, Secretary, The All India Bank Employees' Association, New Delhi.

INDUSTRY: Bank.

DISTRICT: Rajasthan.

Dated March 28, 1964.

AWARD

(Referred for adjudication *vide* Order No. 51(7)/63-LRIV dated 6th September, 1963 to this Tribunal).

The matter of dispute as stated below has been referred by the Central Government to this Tribunal for adjudication under Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947):—

“Whether the appointment of Shri B. D. Grover to the post of Supervisor amounted to the supersession of the claims of Shri D. D. Gupta, Clerk, Alwar Branch, for appointment to the said post? If so, what relief is Shri D. D. Gupta entitled to?”

2. Sri B. D. Grover and Shri D. D. Gupta are two of the employees of the Punjab National Bank Ltd. Sri Gupta joined the service of the Bank on 1st March, 1947 and according to him is senior to Shri Grover who joined 25 days later on 26th March, 1947. Shri Grover was promoted on 2nd October 1962 as Supervisor, which promotion is opposed by Shri Gupta on the ground that it amounted to his supersession. He has referred to Para. 529 of Sastry Award and identified the Management's action in giving promotion to Shri Grover to be in contravention of those provisions. Shri Gupta has relied on a number of other allegations also in support of his claim for seniority and promotion as Supervisor in preference to Shri Grover but it does not seem necessary to go through them in this award. The reason is that the two parties have amicably settled their differences and according

to the settlement the cases of the two employees will be reviewed by the Management in terms of the revised rules recently adopted. The settlement is reproduced in Annexure I hereto. It is on the whole a fair and reasonable disposal of the controversy. I, therefore, accept the same and make my award in terms thereof.

3 There shall be no order as to costs.

(Sd) J K TANDON,
Presiding Officer (Central).

ANNEXURE (I)

BEFORE SHRI J K TANDON, INDUSTRIAL TRIBUNAL, LUCKNOW

IN THE MATTER OF REFERENCE NO ID 4 & 6 OF 1962

- 1 Shri S N Puri Clerk, The Punjab National Bank Ltd, Jaipur
- 2 Shri D D Gupta, Clerk, The Punjab National Bank Ltd, Alwar—*Applicants*.

Versus

The Punjab National Bank Ltd Head Office, Parliament Street New Delhi—*Opposite Party*

The parties to the aforementioned disputes beg to state as under—

- 1 That the above references are fixed for hearing on 19th March, 1964
- 2 That an agreement has been arrived at between the parties on 25th February, 1964 regarding rules for promotion of clerks as Supervisors
- 3 That it is agreed that cases of Shri S N Puri and Shri D D Gupta will be revised for appointment, as Supervisors in accordance with revised rules subject to agreement dated 24th April 1962 between the Bank and the Unions

The parties therefore pray that the present references be disposed of in terms of the agreement as given in para 3 above

For the All India Bank

Employers Association.

Sd /- P L SYAL,
Secretary

New Delhi, the 26th March 1964

For the Punjab National Bank Ltd.

Sd /- O P GUPTA,
Staff Manager

(Sd) J K TANDON,
Presiding Officer (Central)
28 3 64

[No 51(7)/63-LRIV]

S.O. 1505.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal, Lucknow in the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen which was received by the Central Government on the 17th April, 1964

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT LUCKNOW

PRESENT

Sri J K Tandon—*Presiding Officer*

ADJ CASE No 4 (CENTRAL) 1963

MISC CASE No 19

In the matter of an industrial dispute between M/s Punjab National Bank Ltd, Head Office New Delhi

Vs

Their Workmen

APPEARANCES

For the employers—1 Sri O P Gupta, Staff Manager of the Bank

For the workmen—1 Sri R L Khandelwal General Secretary Rajasthan Bank Employees' Union Jaipur

2. Sri P L Syal, Secretary The All India Bank Employees' Association, New Delhi

INDUSTRY: Bank.

DISTRICT: Rajasthan.

Dated March 28, 1964

AWARD

The Central Government have as per their Order No. 51(33)/63-LRIV, dated 4th September, 1963, made under Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), referred the following matter of dispute for adjudication by this Tribunal:—

“Whether the appointment of Shri B. D. Grover as Supervisor amounted to the supersession of the claims of Shri S. N. Puri, clerk, Jaipur Branch, to the said appointment? If so, to what relief is Shri Puri entitled?”.

2. Admittedly Sri Puri and Sri Grover are two employees of the Punjab National Bank Ltd., in the Jaipur Branch. Sri Puri claims that he joined the services of the Bank as early as in April, 1964, and had better claims to be promoted as Supervisor as compared to Sri Grover who has been done so. In view of the same the action of the management is in contravention of Para 529 of the Sastri Award. It appears that the management in making the promotion of Sri Grover have been governed by certain rules framed by them. Sri Puri's contention is that those rules are again not valid and cannot support the action of the management, and pointing out that he is a member of the Workers' Union he has characterized the management's action as one of victimisation.

3. The management in its turn has justified its action on the ground that Sri Grover had been appointed Supervisor in a temporary vacancy to which the provision of Para. 529 of the Sastri Award were not attracted. It has controverted the accusation also that their action had been persuaded by the alleged Union activities of Sri Puri. Alternatively the management has said that the dispute referred to the Tribunal being the individual case of the workmen, did not amount to an industrial dispute.

4. The pleadings gave rise to a number of issues which, however, do not require a decision in view of the settlement mutually reached between the parties. Under the terms of the settlement which has been duly verified by the two parties before the Conciliation Officer (Central) at New Delhi, the case of Sri Puri for appointment as Supervisor will be reviewed by the management in accordance with the revised rules lately framed for the purpose. A joint request is, therefore, made in the settlement that the dispute be disposed of in terms of the above agreement. The settlement is reproduced in Annexure I hereto. The settlement appears on the whole to be a just and fair disposal of the controversy. Therefore accepting the same I make my award in accordance therewith.

5. There shall be no order as to costs.

(Sd.) J. K. TANDON,
Presiding Officer (Central).

ANNEXURE I

BEFORE SHRI J. K. TANDON, INDUSTRIAL TRIBUNAL, LUCKNOW.

IN THE MATTER OF REFERENCE No. I.D. 4 & 6 OF 1963.

1. Sri S. N. Puri, Clerk, The Punjab National Bank Ltd., Jaipur.
2. Shri D. D Gupta, Clerk, The Punjab National Bank Ltd., Alwar.—*Applicants.*

Versus

The Punjab National Bank Ltd, Head Office, Parliament Street, New Delhi.—*Opposite Party.*

The parties to the aforementioned disputes beg to state as under:—

- (1) That the above references are fixed for hearing on 19th March, 1964.
- (2) That an agreement has been arrived at between the parties on 23rd February, 1964, regarding rules for promotion of clerks as Supervisors.
- (3) That it is agreed that cases of Shri S. N. Puri and Shri D. D. Gupta will be reviewed for appointment as Supervisor in accordance with revised rules subject to agreement dated 24th April, 1962, between the Bank and the Unions.

The parties, therefore, pray that the present references be disposed of in terms of the agreement as given in para 3 above.

For the All India Bank Employees
Association.

Sd./- P. L. SYAL,
Secretary.

For the Punjab National Bank
Ltd.

Sd./- O. P. GUPTA,
Staff Manager.

New Delhi, the dated 28th March 1964

(Sd.) J. K. TANDON,
Presiding Officer (Central).
28-3-1964.

[No 51(33)/63-LRIV.]

New Delhi, the 27th April 1964

S.O. 1506.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 3rd day of May, 1964 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas of the State of Andhra Pradesh, namely:—

The areas within the revenue villages of:—

- | | |
|-------------------|-------------------|
| 1. Chittoor | 2. Tenabanda |
| 3. Gandlapalle | 4. Greemspet |
| 5. Iruvaram | 6. Mangasamundram |
| 7. Thimmasamudram | 8. Kattamanchi |
| 9. Doddipalle | 10. Murakambattu |

in Chittoor Taluk of Chittoor District.

[No. F. 13(11)/64-HI.]

O. P. TALWAR, Under Secy.

New Delhi, the 24th April 1964

S.O. 1507.—In exercise of the powers conferred by section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1370, dated the 10th April, 1964, published in Part II, Section 3(ii) of the Gazette of India dated the 18th April, 1964, the Central Government hereby appoints Shri A. P. Veera Raghavan as the Central Provident Fund Commissioner with effect from the forenoon of the 16th April, 1964, for the territories to which the said Act extends.

[No. 15(18)/63-PF-I.]

New Delhi, the 25th April 1964

S.O. 1508.—In exercise of the powers conferred by sub-section (2) of section 16 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby exempts for a period of five years from the 31st December, 1961 to the 31st December, 1966 from the provisions of the said Act, such class of establishments as are factories in the Lac, including Shellac, industry, as were covered by the said Act by the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 2026, dated the 3rd September, 1956 and the employees in which were not entitled on the 31st December, 1961 to benefits in the nature of provident fund, gratuity or old age pension.

[No. 11/5/62/PF-II.]

S. A. AHMAD, Dy. Secy.

ORDERS

New Delhi, the 17th April 1964

S.O. 1509.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Toposi Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Toposi Colliery is justified in refusing to pay bus fare (both ways) for such of the workmen of the Colliery who are required to attend the hospitals of the Coal Mines Labour Welfare Organisation for medical treatment; if not to what relief are the workmen entitled?

[No. 1/8/64-LR II.]

S.O. 1510.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited, Post Office Jealgora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office, Jealgora (District Dhanbad) are justified in retaining the Munshis of the Colliery in Grade III? If not, to what relief are they entitled?

[No. 1/9/64-LR.II.]

New Delhi, the 18th April 1964

S.O. 1511.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Dhemo Main Colliery, Post Office Sitarampur, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the action of the management of the Dhemo Main Colliery, in dismissing Sarvashri Sukhi Jaswara, Matabadal, Timber Mistries and Shri Chota Dilip Singh, Tyndal Jamadar, or any of them, from the service of the Colliery, was not justified?
2. If so, to what relief are the workmen entitled?

[No. 6/4/64-LR.II.]

S.O. 1512.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Dhemo Main Colliery, Post Office Sitarampur, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Dhemo Man Colliery were justified in dismissing the following workmen with effect from the dates noted against each:—

- | | | |
|-------------------------------------|----|-------------|
| 1. Mohd. Hussain, Mechanical Fitter | .. | 30-11-1963. |
| 2. Netai Bouri, Fan Khalasi | .. | 28-3-1963. |

If not, to what relief are the workmen entitled?

[No. 6/7/64-LR.II.]

S.O. 1513.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Basra Colliery, Post Office Jharia, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

1. Whether, the stoppage of Shri Faudar Gowala, Trammer, South Basra Colliery, from work with effect from 22nd November, 1963 by the management of South Basra Colliery, Jharia, was justified?
2. If not, to what relief is the workman entitled?

[No. 2/34/64-LR.II.]

A. L. HANDA, Under Secy.

